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The Daily Oregonian.

HENRY L. PITTOCK, Proprietor.

THE DAILY MORNING OREGONIAN is published every morning except Sunday and delivered by carriers to subscribers in Portland at 37½ cents a week. Single copies, 12½ cents. By Mail or Express, to any part of the State at **$10 per annum in advance; $6 for six months; $3 for three months.** ADVERTISING at liberal rates

THE WEEKLY OREGONIAN containing a selection of the best articles in the Daily, will be published every Saturday morning, and forwarded by Mail to any part of the State at $3 per annum, $2 for six months, and $1 for three months, in advance

All papers discontinued at the end of the time for which they are paid. Subscribers should renew at least two weeks before the date printed upon the address label

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SAN FRANCISCO AGENT—L P FISHER, 629 Washington Street San Francisco

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Office—No. 5 Stark Street,
(Up-Stairs,)
Residence—North Fourth street,
Between B and C
no10 dawtf

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DR. WM. H. WATKINS
Has removed his Office to the
Odd Fellows' Building, corner of Alder and First streets.
ja12 dtf

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Ten Years Practice in Oregon enables him to treat successfully [illegible] peculiar to the climate.
Portland, Jan 10, 1864. dtf

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S. E. Corner of Front and Washington streets,
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m15tf

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GIBBS & UPTON,
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First and Alder sts., Portland, Oregon

WE HAVE AN ABSTRACT OF LAND TITLES in Portland, and give particular attention to Real Estate Business feb1dtf

O. P. MASON,
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PORTLAND, OREGON.
fy25 dtf

F. A. CHENOWETH,
Attorney-at-Law,
CORVALLIS, OREGON. dtf

[illegible] D. W. [illegible]
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WILL GIVE SPECIAL ATTENTION TO PROCEEDINGS in Bankruptcy. Collections promptly [illegible] [illegible]dtf

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And Solicitors in Bankruptcy.
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ALBANY, OREGON.
Will practice in all the Courts of Oregon. Special attention given to the REAL ESTATE AND COLLECTING BUSINESS.
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au12

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(U. S. DEPUTY SURVEYOR,)
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COMMISSION MERCHANT,
[illegible] WHARF STREET,
VICTORIA, BRITISH COLUMBIA.
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Orders and Consignments respectfully solicited.
General Rate of Commission, 5 %.
Also, Commissioner of Deeds for Oregon.
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NO 2 NORTH FRONT STREET, PORTLAND OREGON
THE HIGHEST CASH PRICE PAID FOR HOGS, CATTLE AND SHEEP
Portland, October 1st, 1869 dawóm

E. J. BRYAN,
BUILDER & CONTRACTOR,
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PORTLAND, OREGON,
Is prepared to attend to all calls for work in his line, and guarantees satisfaction. d3m
ja10

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(Successors to A. M. & L. M. Starr)
IMPORTERS AND DEALERS
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STOVES, FURNACES AND RANGES,
TIN PLATE,

SHEET IRON, GALVANIZED SHEET IRON, ZINC, Babbitt Metal, Braziers' Tinned and Planished Copper, Sheet Lead, Force and Lift Pumps, Lead and Iron Pipe, Rubber Hose and Connections, Hydrant Pipe Nozzles and Rams, Tinsmiths' Tools, Machines and Materials, and a complete assortment of House Furnishing Hardware

Importing our goods principally Direct from the East, enables us to offer inducements to the Trade second to no other House on this coast

Agents for TILTON & McFARLAND'S SAFES and for the celebrated EXCELSIOR FORCE PUMPS for Manufacturers and Miners' use

No. 34 Front Street,
In O S N Company's Fire Proof Block
jan1d8ptf Portland, Oregon

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LIFE INSURANCE COMPANY
OF NEW YORK.

ORGANIZED............ 1860.
POLICIES EXEMPT FROM EXECUTION
Cash Assets, over. $2,250,000
SECURELY INVESTED.
Over 12,000 Members.
PURELY MUTUAL!
Dividends paid one year from date of Policy
All Policies and Dividends Non-Forfeitable.
Over 5,000 Policies issued in 1868

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GENERAL AGENT FOR OREGON AND TERRITORIES
PORTLAND, OREGON.
o21d1y1p

SPORTSMEN'S EMPORIUM!
Guns, Pistols, FISHING TACKLE.
126 FRONT STREET,
PORTLAND, OREGON.
WM. BECK,

IMPORTER AND DEALER IN FIRE ARMS OF every description, Fishing Tackle and Fancy Goods, etc., begs to inform the public that he has just received a new stock of goods direct from New York, comprising Bead Baskets, Bead Jewelry and Beads of all kinds, Ladies' Traveling and Work Baskets, Babies' Carriages, three and four wheels; also a fine assortment of Bird Cages, Fishing Rods, Reels, Hooks and Lines of all kinds, also the following new style Revolvers: Eagle, Smith & Wesson's, Sharp's, My Friend, National, Ladies' Companion, Allen's, Marston's, Remington's, Manhattan, Southerner's and Cooper's. Winchester's Repeating Rifles, eighteen shooters, and a complete stock of Sporting Apparatus.

ALSO,
Agent for the Wheeler & Wilson Improved Family Sewing Machines. Machines repaired and warranted
Orders from the country promptly filled jan1dtf

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IMPORTERS AND WHOLESALE DEALERS IN
AMERICAN AND ENGLISH HARDWARE,
53 Front St., Corner of Oak,
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NEW MEDICAL WORK.
"THE PHILOSOPHY OF MARRIAGE,"
FOR THE
Debilitated Nervous System.

THE PROFESSORS OF THE ANATOMICAL MUSEUM, Montgomery street, near California, San Francisco, have published four of their most important and instructive lectures in a neat volume for those who cannot attend these lectures delivered at the Museum. Every Unmarried and Married man should read and study these important Lectures for the good of himself and offspring

By addressing the Secretary of the Anatomical Museum San Francisco, enclosing 25 cents in postage stamps to pay postage, the Book will be forwarded to any part of the States and Territories 1141mlp

B. M. STONER & CO.,
COMMISSION MERCHANTS
COR. MAIN AND FRONT STS.,
PORTLAND OREGON
STORAGE AT REASONABLE RATES
Liberal advances made on Consignments
Highest Market Price Paid for
WHEAT & GRAIN
d6 OF ALL KINDS dtf

Dancing Academy.
PROF. CARDINELL
WILL OPEN HIS DANCING ACADEMY NEXT Thursday Evening
SATURDAY AFTERNOON set apart exclusively for Children
REGULAR SOIREES Saturday Evenings
o19dtf

Steamers and Shipping.

NOTICE.
UNTIL FURTHER NOTICE THE
PEOPLE'S TRANSPORTATION CO.'S
STEAMERS
ALERT AND SENATOR
WILL LEAVE PORTLAND DAILY (Sundays excepted) AT 6 O'CLOCK A M AND 2 O'CLOCK P M FOR
OREGON CITY,
CONNECTING AT 7 O'CLOCK A M WITH BOATS FOR
SALEM, ALBANY, AND CORVALLIS,
ON
MONDAY, TUESDAY, THURSDAY and FRIDAY
AND FOR
Dayton, Lafayette and McMinnville,
ON
MONDAY, WEDNESDAY & FRIDAY.
A. A. McCULLY, President.
November 27, 1869 n27tf

OREGON STEAM NAVIGATION CO'S NOTICE!

BOATS OF THE COMPANY WILL leave Portland as follows

FOR DALLES—Daily (Sundays excepted) at 5 o'clock A M

FOR ASTORIA—Monday, Wednesday and Friday at 6 o'clock A M

FOR MONTICELLO—Daily (Sundays excepted) at 6 o'clock A M

N. B.—BOATS FOR TRANSPORTATION OF STOCK in readiness when business offers

J. C. AINSWORTH,
jau1dtf Pres't O S N Co

STR. CARRIE
WILL LEAVE WASHINGTON STREET WHARF for
MONTICELLO AND FREEPORT
On Tuesday, Thursday and Saturday.
At 8 o'clock A M
RETURNING—Will leave Monticello at 7 o'clock A M on
Monday, Wednesday and Friday.
On MONDAYS and TUESDAYS will run the Columbia river side of the Island, touching at QUINN'S LANDING, LEWIS RIVER, also, LAKE RIVER LANDINGS
For Freight or Passage apply on board
Portland, November 4, 1869 o14d1m

FOR ASTORIA VIA MONTICELLO.
The new Side-Wheel Steamer
MARY BELL,
R. C SMITH, MASTER,

WILL MAKE TRI-WEEKLY TRIPS BETWEEN Astoria and Portland via Monticello and all intermediate Landings.
Leaving Astoria every Monday, Wednesday and Friday mornings at 6 o'clock
Leaving Portland every Tuesday, Thursday and Saturday mornings at 6 o'clock
For Freight or passage apply on Board or to S E Stone, American Exchange Wharf, foot of Washington street. jan26dtf

Upper Columbia and Idaho.
FORWARDING AND COMMISSION.
JOHN R. FOSTER & CO.,
UMATILLA, OREGON.

WE ARE FULLY PREPARED TO RECEIVE Consignments of Goods to be Forwarded to all points in Oregon, Idaho, Montana and Owyhee and can offer superior inducements to shippers by having a large

Fire-Proof Warehouse

For the Storage of goods, and a long experience which enables us to make shipments at the very lowest rates.
All matters connected with the Forwarding and Commission Business promptly attended to.
Consignments solicited. Mark goods, Care J.R.P. U.
Always on hand a full Assortment of
Groceries, Provisions and Clothing
MECHANICS', MINERS' & BLACKSMITHS' TOOLS,
Also a large Stock of
IRON AND STEEL,
Which will be sold LOW FOR CASH
d24dtf JOHN R FOSTER & CO

NOTICE.
WELLS, FARGO & CO.'S
Fast Freight Line
TO IDAHO!
SUMMER ARRANGEMENT.

ON AND AFTER AUGUST 1ST 1868 OUR RATES for FAST FREIGHT (on 50 pounds or upwards weighing not less than 45 pounds per cubic foot) will be as follows

From Portland	to	La Grande	12 cents per pound
"	"	Union	13 " "
"	"	Baker City	15 " "
"	"	Eldorado	18 " "
"	"	Boise City	19 " "
"	"	Idaho City	20 " "
"	"	Silver City	27 " "

Until further notice
WELLS FARGO & CO
au2dtf

J. M. LEEZER,
FORWARDING AND COMMISSION MERCHANT,
Umatilla, Oregon.

CONSIGNMENTS OF GOODS TO BE FORWARDED to all parts of the Mines in Oregon, Owyhee, Montana and Idaho solicited. FIRE PROOF WAREHOUSE connected with the business
Mark Goods at Portland J. M. L., U. From San Francisco, send Bills Lading to P. D. & H. Co Portland
REFERENCE—Jacob [illegible] & Co, S. E. [illegible], Henry Failing and H. W. Corbett & Co, Portland do1tf

CITY BAKERY
AND
Provision Store.
R. PITTOCK,
NO. 9 NORTH FRONT STREET,
Opposite Lower Steamship Landing
and Corner First and Morrison Streets,
Wholesale and Retail manufacturer of
BREAD,
Butter, Water, Sugar, Boston and Soda
CRACKERS,
PILOT BREAD, PIES, CAKES, &c., &c.
and all kinds of
STEAMBOAT AND SHIP STORES,
Family Groceries,
FEED, FRUITS, VEGETABLES, &c, &c.
Bread and Sweet delivered to any part of the City
Orders from a distance carefully filled and promptly dispatched
The business hereafter will be conducted STRICTLY ON THE CASH PRINCIPLE

BOOTS AND SHOES, for sale by
j6 H. W. CORBETT & CO.

Banking and Insurance.

LADD & TILTON,
BANKERS,
PORTLAND OREGON
ESTABLISHED, 1859.

DEPOSITS RECEIVED AND ACCOUNTS KEPT subject to Check or Draft

INTEREST allowed on TIME DEPOSITS or TRUST FUNDS in sums of One Dollar and upwards from Date of Deposit.

MONEY LOANED on approved Security

BONDS, STOCKS and other valuables received on Deposit for safe keeping.

COLLECTIONS made and proceeds promptly remitted

INVESTMENTS in Real Estate and other property made for parties

SIGHT and Telegraphic Exchange on San Francisco and the Atlantic States for sale

GOVERNMENT SECURITIES bought and sold

AGENTS for the transaction of all kinds of Financial and Trust Business.
c13dawtf

Savings! Savings!
FIRST
NATIONAL BANK OF PORTLAND.
SAVINGS DEPARTMENT!

THIS BANK has established in connection with its general Banking business a SAVINGS DEPARTMENT and will allow interest on coin deposits made in accordance with the conditions adopted by this Bank.

In establishing a SAVINGS DEPARTMENT this Banking Association hopes to offer inducements to a class of persons having small sums to lay by, providing a safe place of deposit, ample security and fair rate of interest, as well as to aggregate and bring into use idle capital

For the safety of deposits in this Bank are pledged its entire capital and resources and also the personal liability of its Directors (Stockholders as provided by Section 12 of the National Currency Act approved June 3d 1864, a greater security than that given by ordinary Savings Banks. Printed copies of the conditions upon which deposits are received may be had upon application to the Bank HENRY FAILING President
JAMES STEEL Cashier.

Directors:
HENRY FAILING HENRY W. CORBETT,
L H WAKEFIELD JAMES STEEL,
W. J. VAN SCHUYVER.
Portland, October 8th, 1864 dtf

THE BANK
OF
BRITISH COLUMBIA
Incorporated by Royal Charter.
Paid up Capital...... $1,562,500.
WITH POWER TO INCREASE TO
$10,000,000.
HEAD OFFICE—5 EAST INDIA AVENUE, LEADENHALL STREET, LONDON.
BRANCHES,
IN VANCOUVER ISLAND, BRITISH COLUMBIA, SAN FRANCISCO and PORTLAND.
AGENCIES,
IN NEW YORK, CANADA SCOTLAND & IRELAND

DRAFTS issued on all the Branches and Agencies; Approved bills negotiated or collected. Interest allowed on Deposits.

EDWIN RUSSELL, Manager
Portland, April 10, 1867. dtf

FIRE AND MARINE INSURANCE.
UNION
Insurance Company
OF SAN FRANCISCO,
Nos. 416 and 418 CALIFORNIA ST.
STOCKHOLDERS INDIVIDUALLY LIABLE
CASH CAPITAL, $750,000
DEPOSIT IN OREGON, $50,000.
Losses Promptly and Equitably Adjusted and Paid in Gold Coin.

THIS COMPANY HAVING COMPLIED WITH the laws of Oregon by making a Deposit of Fifty Thousand Dollars, is now prepared to effect Insurance against LOSS OR DAMAGE BY FIRE, and also against MARINE AND INLAND NAVIGATION RISKS on liberal terms

GUSTAVE TOUCHARD, President.
CHARLES D HAVEN Secretary
General Agency for Oregon and Washington,
FIRST NATIONAL BANK.
E D. BACKENSTOS, Special Agent,
Portland, September 22, 1869 93 Front Street.
s22dtf

HOAGLAND'S
NEW PATENT SHAFT COUPLING!
W. E. COOPER

HAS PURCHASED THE RIGHT FOR THIS County of the above Patent, and will hereafter use it in the construction of all the Vehicles manufactured at his extensive

Carriage Factory,
Corner of Second and Morrison Streets.
He respectfully refers to the following
CARD.

Having examined the New Patent Shaft Coupling, invented by H. R. Hoagland, we feel pleasure in informing the public that in our opinion it is the safest and best method of connecting shafts or tongues to all vehicles that has ever been used

It fastens without bolt or screw and is therefore easily and speedily separated. It rests on Gutta Percha so as to be entirely free from the rattling sound which so often disturbs restless horses. It is easily changed so that the shafts or tongue may be detached in an instant, and is convenient, safe and secure

It is easy to change to this style of coupling any buggy or other vehicle now in use, and with small expense. We have come to the conclusion to use this new invention ourselves and recommend its use in all cases. We consider it far superior to the Brewster Patent heretofore considered the best in use.

J. A. CHAPMAN, JOHN McKEAN
H. D. GREEN, L. C. FULLER,
H. C. LEONARD, I. P. W. QUIMBY,
MILLER & ACKER, Wm. SHERLOCK,
W. H. BENNETT, GEO. R. COOK,
FABRE BROS, H. WALSH,
B. G. WHITEHOUSE, J. P. LADD,
A. A. WILLIAMS, WM. NIXON,
CHAS. P. BACON, GEO. WILLIAMS,
C. BILLS, C. HOPKINS,
C. A. GODDARD n9dtf

EAGLE FOUNDRY AND MACHINE WORKS,
SECOND ST., bet. Alder and Morrison,
PORTLAND, OREGON,
M'ARTHUR & FRAZIER,
MANUFACTURERS OF
Marine, Stationary and Portable ENGINES & BOILERS;
QUARTZ MILLS AND MINING MACHINERY;
Flouring Mills;
Stationary & Portable
SAW MILLS;
IRON FRONTS,
And every variety of
MACHINERY AND IRON AND BRASS CASTINGS
Duplicates of M. W. and Respor? Castings constantly on hand. 18dtf

Notice.

AT THE ANNUAL MEETING OF THE STOCKholders of St. Helens Mill Company, held at St. Helens in Columbia county Oregon, on the 3d day of January A. D. 1870, an assessment was levied at the rate of ten per cent on the Capital Stock of said Company payable within ninety days from date of making said levy. J. [illegible] LADD President
Attest: WM PICKERING, Secretary
St Helens January 21 1870 jan28d3w

By Overland Telegraph

(DISPATCHES TO THE OREGONIAN)

EASTERN DATES TO FEBRUARY 8

Congressional

WASHINGTON, Feb 8.—In the Senate the Vice President submitted the resolution of the Iowa Legislature ratifying the Fifteenth Amendment.

Sumner from the Committee on Foreign Relations reported a bill to provide for the appointment of an assistant for the Department of State and for additional clerks in that department.

Sherman from the Finance Committee reported a resolution requesting the President to institute a correspondence with Great Britain and other foreign powers with the view to promote the adoption by the Legislatures of the several Powers of a common standard for international coinage and to submit such correspondence to Congress. Adopted.

Ramsey introduced a bill authorizing the Northern Pacific railroad to issue bonds for the construction of the road and to secure the same by mortgage. Referred.

Several resolutions of inquiry were adopted, one calling on the Postmaster General for information as to the number and cost of blank petitions and circulars for the abolition of the franking privilege sent from the Postoffice Department.

Drake called up the resolution to amend the rules of the Senate so that hereafter Indian treaties shall be considered in open session. The resolution was amended so as not to apply to treaties transmitted by the President for confidential consideration and agreed to.

The West Point appropriation bill and the bill setting apart a portion of the Fort Snelling Military reservation for a permanent military post and in the settlement of all claims relating thereto passed.

The bill relieving a large number of persons (named) from disabilities imposed by the Fourteenth Amendment passed.

The Census bill was then taken up. Sumner spoke in support of the House bill. Morrill, of Vermont moved to amend by providing that the Census bill shall embrace additional statistics upon petroleum, molasses, grape wine, cocoon silk, wages of labor, telegraphs, railroads, fisheries, timbers and lands.

Morrill, of Maine, from the Committee on appropriations, reported the House bill to supply the deficiency in the Naval Appropriations with amendments, increasing the appropriation for the Bureau of Steam Engineering, from half a million to a million, and the appropriation for the Bureau of Construction and Repairs, from one to two millions.

Williams introduced a bill granting lands to aid the construction of a railroad and telegraph line from the Columbia river to Puget Sound, referred.

Conkling, from the Committee on Commerce, reported, with amendments, a bill to prevent encroachments upon the harbors of the United States.

The Senate went into Executive Session, at the expiration of which it adjourned.

In the House, Laflin's resolution declaring the publication in the *Globe* of the printed petitions for the abolition of the franking privilege, a wasteful expenditure of public money, and directing the continuance of such publications came up. Considerable discussion ensued. Garfield desired to amend by declaring the publication in the *Globe* a wasteful expenditure of the public money, but Laflin refused to accept the amendment. Laflin's resolution was finally tabled by a vote of 72 to 58.

Ingersoll gave notice that he would introduce an amendment to the Constitution by giving Congress the power to issue notes and make them legal tenders.

The bill for the temporary relief of the poor of the District of Columbia, was taken from the Speaker's table. The House amendment was insisted upon.

The Conference Committee asked for a joint resolution for the payment to the family of the late Secretary Rawlins one year's salary.

The contested election case in Covode against Foster, was taken up. Paine desired to be excused from further serving on the Committee on Elections, regarding that, while his personal relations with all the members was pleasant, there were such differences of opinion between some and himself, on vital questions underlying their duty, he thought best to resign. Pending the further discussion the House adjourned.

The Legal Tender Decision.

CHICAGO, Feb 8.—The opinion of the Supreme Court on the Legal Tender question, is a very long and able review of the case. Justice Chase says "No body questions the constitutionality, and not many question the expediency of the act, by which currency notes have been authorized. In recent years, doubt exists as to the power of Congress to declare those notes legal tender in payment of preexisting debts. The only ground upon which this power is asserted is not that the issue of notes was appropriate and plainly adopted as the means for carrying on the war for that is admitted, but that the making of them legal tender to the extent mentioned was such means." Justice Chase proceeds to argue the question whether making notes legal tenders really added anything to their credit or usefulness. He says "the history of legislation shows that the reliance for their circulation was originally placed in the receivability and not in the quality of the legal tender notes, because the receivability clause appears in the original draft of the bill while the legal tender clause was introduced at a later stage of its progress." He thinks it by no means certain that the depreciation of the notes would be less if the Government pledged the holder its power to compel his creditors to receive them at par in payment. If the quantity to be issued be uncertain and their redemption fixed at a remote period, great depreciation would take place, but if the quantity only equalled the demands of business, and confidence in their redemption be strong the notes will circulate freely whether made legal tender or not. If it is admitted that some increase of availability is derived from making the notes a legal tender under new contracts, it does not follow that any appreciable advantage is gained by compelling creditors to receive them in satisfaction of pre-existing debts. The opinion points out the evils of an irredeemable paper currency. It thinks that making them legal tender widens their extent, protracts their continuance and he cannot allow therefore, that such expedient is the appropriate and plainly adapted means for the execution of power to carry on the war. But there is another view, by which it appears a thing prohibited by or inconsistent with the spirit of the Constitution, can be regarded as appropriate plainly adapted or a really calculated means to carry such end. After a careful inquiry, he arrives at the conclusion that making bills of credit a legal tender applicable to pre-existing contracts, is inconsistent with the spirit and letter of the Constitution which forbids legislation impairing the obligation of contracts and prohibits the taking of private property for public use without compensation. It also declares that no person shall be deprived of life, liberty or property, without due process of law. An act which compels creditors who hold contracts for payment in specie, to accept currency of an inferior value in payment thereof, deprives such person of property without due process of law. It is difficult to perceive what act would take property without due process of law, if such an act would not. An act which makes men promise to pay dollars in legal tenders for the payment of debts previously contracted is not a means appropriate, plainly adapted or really calculated to carry into effect any express power granted to Congress, though it is not surprising that amid the tumult of civil war under apprehensions for the safety of the Republic, a different view was entertained by American statesmen and was adopted by many. The time was not favorable for considerate reflection upon the constitutional limits of the Legislative or Executive authority, but the power was assumed from patriotic motives and the assumption found ready justification in patriotic hearts. But many who then acquiesced in the view of its necessity since the return of peace and after time have considered the question and are convinced of the views here announced, that the legal tender act cannot apply to pre-existing contracts.

Judge Miller after arguing the case at great length says the legal tender clauses were placed in the bill reluctantly and with hesitation and only after the imperative necessity of it had been demonstrated. How this necessity alone could have been carried this clause also proves conclusively that the existence of that necessity refers to the power of Congress to establish a system of bank upon the reserve of which the large debts [illegible] [illegible] He reiterates the arguments of [illegible] by which the indirect effect of a new [illegible] measure in depreciating the value of lands, stocks and bonds renders such a law invalid. As to the taking of private property for public use or depriving the owner of it without due process of law, these laws have been received as valid with almost universal acceptance and payment has been made in legal tenders to the amount of thousands of millions of dollars though gold was the only lawful tender when the debt was contracted. The two houses of Congress, the President who signed the bill and fifteen State courts of last resort, being all but one that have passed upon the question, have expressed belief in the constitutionality of these laws. With all this great weight of authority and this strong concurrence of opinion among those who have passed upon the question before we were called upon to decide it, whose duty it was to pass upon it in the light of the Constitution, are we to reverse their action, disturb contracts and declare the law void because the necessity for its enactment does not appear so strong to us now as it did then to Congress, or so clear as it was to other courts? Such is not my idea of the relative functions of the Legislative and Judicial Departments of the Government. Where there is a choice of means, the power of selection is with Congress, not with the court. If the act to be considered is in any sense essential to the execution of acknowledged power, that necessity is for the Legislature, not for any court, to determine.

Washington News in General

WASHINGTON, Feb 8. The Senate Committee on Foreign Relations has agreed to report favorably on the nomination of Gen. Sickles as Minister to Spain.

The Reconstruction Committee has instructed the chairman to report a universal disability bill, requiring parties to make application to the Court, and an individual disability bill covering about three thousand names, including all persons heretofore recommended for clemency.

The following nominations were sent to the Senate to-day: John A. Sutter, Jr., as United States Consul at Acapulco, Silas R [illegible], of Missouri, as Surveyor General; Frank Walcott, of Kentucky, as Receiver of Public Moneys; and Charles C. Crowe, of Alabama, as Register of the Land Office for Wyoming Territory.

General Sherman has issued orders carrying into effect the act of Congress relieving all retired officers from duty. The order takes effect February 21st.

In the Senate, the Committee on Foreign Affairs agreed to report a supplemental article to the reciprocity treaty with the Sandwich Islands.

CHICAGO, Feb. 8.—Washington specials say both the nominations of Judge Strong and Bradley will meet with strong opposition in the Senate.

In the House, the Pacific Railroad Committee have agreed to report a bill authorizing the North Pacific Railroad Company to issue bonds secured by the lands of the said company and change their western terminus from Puget Sound to the Columbia river.

The Banking Committee, after a protracted discussion, decided not to subpœna President Grant.

WASHINGTON, Feb 9.—The Secretary of the Interior decides that when an invalid pensioner dies without filing a claim for arrears his right dies with him.

The interruption to travel by the storm yesterday continues and trains are behind time at every point.

Quite a number of changes have been ordered by the President in assignment of staff officers, principally effecting officers in Washington.

Alabama Legislature.

MONTGOMERY, Feb 9.—Both Houses have passed the Alabama and Chattanooga railroad bill. It loans the credit of the State to the amount of three millions.

The Texas Legislature met at Austin yesterday. Much interest is felt in the senatorial election.

Miscellaneous News.

POUGHKEEPSIE, N. Y., Feb. 8.—A storm has prevailed all day. The snow is ten inches deep and heavily drifted. The trains are much impeded.

RICHMOND, Feb 8.—The Legislature met at noon. The House by a vote of 109 to 10, adopted a resolution asking Congress to remove all disabilities from the people of Virginia. The Governor's Message was read. It is quite lengthy. The main points have been anticipated.

TRENTON, Feb. 8.—The House has passed a resolution asking the Representatives in Congress to urge the acknowledgment of Cuban independence, also to demand the liberation of Fenian prisoners in England.

PEABODY, Mass. Feb 8.—The funeral of Geo Peabody was carried out according to the programme, to-day. The attendance was large and the services solemn and imposing. Prince Arthur was present.

NEW YORK, Feb 8.—It is reported that a gentleman who has spent several years on the African and Asiatic coasts, is negotiating for a steamer to use as a privateer against pirates in the China seas.

NEW YORK, Feb 9.—Horrible crimes have been practiced on board the ship *Neptune* from Liverpool. Eight sailors prefer a charge against the captain and two mates which reads like a page out of the history of the black hole of Calcutta.

CONCORD, N. H., Feb 9.—The labor reform party has opened the campaign in this State. They claim to be able to throw the election of Governor into the Legislature and elect enough members to defeat the election of United States Senator in June.

ALBANY, Feb 9.—A bill has been introduced to the Senate to extend the Metropolitan Police law over the whole State. It emanates from the Democratic Caucus.

BY THE CABLES

PARIS, Feb 7.—Evening. Rochefort was arrested at his residence at Belleville in the north eastern part of the city at an early hour this evening. His friends are assembling in great crowds and serious trouble is anticipated.

The Government has excluded Papal currency from general circulation in France.

At 2 o'clock in the forenoon the troubles at Belleville looked serious. The streets were filled with shouting people and barricading had been commenced. A detachment of troops arrived at 11 o'clock. Barricades have been erected in Faubourg Temple, Rue St. Maur, Rue Orange, Aux Belles and other streets in the vicinity of Belleville. The scene of disturbance is near the Northern and Strasburg railway stations. An additional detachment of troops has arrived, but no fire arms have been used. Troops in the garrison in the vicinity of the city have orders to hold themselves in readiness to march at a moment's notice. Great precaution has been taken by the military authorities, and it is believed the riot will not be attended with any serious consequences.

Later—7 A M. The troubles at Belleville lasted all night and have extended northward to Batignolles the extreme northwestern arrondissement. Within the fortifications the troops have not yet resorted to fire arms. The police are active and have made many arrests. The excitement is naturally incident to such an occasion. The rest of the city is tranquil. The Government continues precautionary measures.

PARIS, Feb 8. The following details of the disorder in northeastern arrondissement are taken from the newspapers. Rochefort was arrested as he was on the point of entering a political meeting in Rue De Flandre, coming from Belleville to La Villette. Although there was a great crowd of people present mainly his own partisans no resistance was made, and no appeals to the crowd. As soon as the arrest was made known to the meeting the wildest scene occurred. Gustave Flourens who was president rose excitedly drew his sword and fired his revolver and declared the insurrection begun. The meeting broke up in disorder and the crowd under the leadership of Flourens proceeded to barricade the streets, which they accomplished without loss of time by [illegible] of omnibuses and other vehicles [illegible] in the neighborhood. A commissary [illegible] and accompanying guard charged with [illegible] arresting Rochefort was forced along with the crowd and badly injured by them. The districts lying between Rue De Fauburg Du Temple and the fortifications at La Villette, a distance of about two miles, was in possession of the rioters. At 11 o'clock a body of police charged the barricade in Rue Du Fauburg Du Temple and attempted to carry it but were repulsed. One of the commissaries was dangerously wounded and a policeman killed. At other parts barricades had also been erected but were not defended. The military are still in force but thus far have made no use of their fire arms, although the insurgents have the latter also, they having pillaged arm[illegible] and obtained their weapons. Several policemen were wounded with them in skirmishes. Early in the evening a great number of arrests were made. At three o'clock this morning over three hundred had been taken into custody and imprisoned in the barracks of Prince Eugene. Many were mere boys. All were armed and most of them under the influence of liquor. It is rumored that Gustave Flourens who is looked upon as the leader of the rioters has been arrested but this is not confirmed. He is said to have announced to his [illegible] the [illegible] before leaving home for the meeting that if Rochefort were arrested she would probably never see him again. At this hour all is quiet in Paris.

PARIS, Feb 8. Report from Corps Legislatif.—Keratry? [illegible] of the Liberal deputies demanded to know why Rochefort was not arrested before going to a political meeting where five thousand persons were assembled. It was not necessary that this meeting should have been thus disturbed, and the people who were participating in it, aroused to violence. The act of Government was a provocation to the disturbance which took place. A member of the Ministry explained that the authorities had refrained from arresting Rochefort at the Chamber to avoid the scandal to which his arrest at such a place would give rise. The friends of Rochefort were prepared to make the demonstration which they had made, and upon this fact the Ministry would rest responsible of what had taken place. The country would judge between them and the rioters. He said there need be no unnecessary uneasiness, for the people as the government was animated by the best sentiment towards them.

The Minister of the Interior followed with the assertion that the friends of Rochefort had determined upon a demonstration had Rochefort been arrested at the Chambers. Ollivier praised the conduct of the police in dealing with disorder. They had acted with faith, prudence and humanity.

LONDON, Feb 8.—Parliament opened to-day and the Queen's speech was read. The Queen comments on tranquility in all quarters of the globe and notices a growing disposition of all countries to appeal to friendly mediation rather than resort to arms; [illegible] favorable condition of finance, suggests a continuation of inquiries into Parliamentary election, announces the probability that Government will propose land reform measures for Ireland, and will introduce a bill to define the status of citizens of foreign countries who may desire naturalization, recommends such legislation on the subject of religious tests in the Universities of Oxford and Cambridge as will increase the usefulness of those institutions; comments upon the recent agrarian outrages in Ireland, and after a resume of the various measures of domestic reform to be submitted, closes as follows: "Upon these and all other subjects, Her Majesty devoutly prays that your labors may be constantly attended by the blessings of God."

The news of the arrest of Rochefort and its consequences, made a sensation here. There are many rumors afloat—one that the troops have fired on the crowd. The rumors, however, are generally discredited.

Another cable to Rhode Island is shortly to be laid. The contract for the cable, to cost £600,000, has just been signed.

To-morrow the Oxford University Boat Crew will accept challenge of the Cambridge Crew for the regular annual race.

Since the transfer of the telegraph lines to the Government, the amount of domestic telegraphing has increased fully one third.

Sir John B. Karslake has written a communication to the *Globe*, urging the Government to systematized emigration as a social relief [illegible]

Gladstone has written to Professor Rogers, approving the removal of clerical disabilities.

The Queen is still at Windsor, and will remain there till the 15th of March.

VIENNA, Feb. 8. Count [illegible], Minister of Finance for Hungary, comes to this city as Financial Minister for the Empire.

LONDON, Feb 8.—After the reading of the Queen's speech in the House of Lords, an address was made to Her Majesty, referring to the Irish question by the Lord Chancellor. He regretted the absence of the Queen, but hoped she would soon be well. He also regretted the absence of any reference to the distress prevailing in the Colonies. The reference in the Queen's speech to national education was commendable but he was annoyed to see Scotland and Ireland left out of the scheme.

John Bright is ill.

Wick harbor has been destroyed by a violent hurricane.

Gladstone was cheered on entering the Chamber, and gave notice that he should vote for the expulsion of the member from Tipperary [illegible] he was under sentence of penal servitude and his seat was consequently vacant.

Capt. Francis Edgerton moved a reply to the Queen's speech. He said the programme was most satisfactory. The Royal speech was marked by care and ability, and the measures promised were sure to be framed with care and prudence.

Disraeli was heartily cheered. He thought the discussion of important topics at such a moment untimely. Ireland was full of disaffection, murder and secret societies. The Government was bound to intervene. Royalists were oppressed, Catholic priests were heartily supported and trade almost destroyed by the Whig policy.

Gladstone replied. He admitted the difficult position of the Government. Their opponents admitted the gravity of the situation. He complimented Disraeli on the moderation of his government. This Government, he added, desired to try further remedies. He asserted that the tone of Disraeli's speech was to prevent [illegible]. He eulogized the Catholic clergy of Ireland for their loyalty and good sense.

PARIS, Feb 8. Tranquility has been restored in the city.

UNION REPUBLICAN CONVENTION OF OREGON.

The Union Republican voters of the State of Oregon will meet at the City of Portland, at 10 o'clock A. M. on Thursday the 7th day of April, 1870, in Delegate Convention for the purpose of placing in nomination a State Ticket to be supported at the approaching election in June and the transaction of such other business as shall properly come before said Convention.

Counties will be entitled to delegates as follows:

Baker	7	Lane	12
Benton	11	Linn	15
Clackamas	17	Marion	24
Columbia	3	Multnomah	21
Coos	4	Polk	11
Curry	2	Tillamook	2
Clatsop	[illegible]	Umatilla	6
Douglas	14	Union	6
Grant	7	Washington	9
Jackson	10	Wasco	8
Josephine	4	Yamhill	11

The Committee recommend that the County Conventions for the election of Delegates be held on Saturday the 26th day of March 1870.

By order of the State Central Committee
M. J. BERRY, Chairman.
T. B. ODENEAL, Secretary
Portland, January 19 1870

Harmony Lodge No. 12, I. O. O. F.—Meets every Friday evening at 8 o'clock in Stark's building, third story, opposite Cosmopolitan Hotel. Members of the order are invited to attend. By order of N. G.

Samaritan Lodge No. 2, I. O. O. F.—Meets every Wednesday evening at [illegible] o'clock in Stark's building, third story opposite Cosmopolitan Hotel. Members of the order are invited to attend. By order of N. G.

Multnomah Lodge No 12 I. O. G. T.—Holds its Regular Meetings [illegible] on Saturday evenings of each week. All members in good standing are invited to attend. By order of W. C. T.

Portland R. A. C. No. 3.—Regular Convocation on the second Thursday evening of each month at Masonic Hall, No. 16 North Front street.
By order of M. E. H. P.

Use BANE'S IMPERIAL CONDENSED SOAP. It washes without rubbing. For sale by Allen & Lewis, Corbitt & McCleay, R. G. Sweath and all retailers.

The Wonderful Self-Fastening CLOTHES-LINE HOOK!

CAN NOW BE FOUND AND PURCHASED OF H. B. STARR and H. B. BOYDSTON, at H. B. STARR'S TIN SHOP, on Front Street, near Main. Portland.

I. F. Starr has no interest in the Clothes Line Hook [illegible] right for sale. Good Agents wanted
f26dsm

he Daily Oregonian.

RSDAY MORNING FEBRUARY 10 1870

A Strict Party Vote and Why

s that on the passage of the bill tting Virginia, there was a strict party in the Senate also The vote stood 12 It is natural to presume that there t have been some partisan reason for for which we must look to the bill itself to the attitude of the Democratic party matters connected with the late rebellion subsequent reconstruction We have a y of the bill as it passed the Senate and sequently the House of Representatives ecites in the preamble that Virginia has med a constitution which is republican in m has ratified the fourteenth and fifteenth endments to the constitution of the United ates, and that these acts have been per med in good faith as conditions precedent her admission The body of the bill pro des that the State of Virginia is entitled to presentation in the Congress upon these rms That before any member of the egislature shall take or resume his seat, or ny State officer enter upon the duties of his ffice, he shall take and subscribe to the fol wing oath:

> "I, , do solemnly swear that I have ever taken an oath, as a member of Congress or s an officer of the United States, or as a member of any State Legislature, or as an execu ve or judicial officer of any State, to support he constitution of the United States, and after ards engaged in insurrection or rebellion against he same or given aid or comfort to the enemies hereof, so help me God"

Or, in lieu of such oath, the member of the Legislature or the State officer must take and subscribe to an oath that he has been relieved by act of Congress from the political disabilities imposed by the fourteenth amendment of the constitution of the United States The bill provides for the punishment by fine and imprisonment, of those who falsely take such oath The intent of the bill is to exclude from the administration of the affairs of Virginia those who traitorously and with perjury engaged in the rebellion And right here we suppose began the objection of the twelve Democratic U S Senators who voted against the admission of Virginia What are we to conclude? Certainly, that they are in favor of admitting to the Legislature and State offices of Virginia every traitor and perjurer upon equal terms with those men who were always true to the government. And they voted to keep Virginia out of the National Congress and under the military rule which they affect to hate so cordially, because forsworn traitors are excluded, by compact between Congress and the people of Virginia, from the management of the affairs of state.

The bill further provides that the constitution of Virginia shall not be amended so as to deprive any class of the citizens of the right to vote except as a punishment for felony after conviction thereof, under laws equally applicable to all the citizens of the State. The object of this provision is to secure all citizens perfect equality of rights; to prevent [illegible] should be denied rights accorded to others; and to prevent the laying of burdens upon one class of citizens from which others should be exempt. And right here we suppose comes in the second objection from the twelve Democratic Senators. They desire that the door shall be left open to a future destruction of the rights of a certain class of citizens—rights with which they have been invested by solemn act of the people of the United States They want, hereafter, to undertake through laws nullifying the acts of Congress and the constitution of the United States, to deprive the negro citizens of the right to vote, to take away their citizenship and their means of self-defense, and thus to reduce them to a condition of semi-bondage to their "normal condition" according to the caucasian Democratic idea

The bill further provides that it shall not be lawful for the State of Virginia to give one class of citizens privileges under her constitution and laws in respect to holding office, which shall not extend equally to all other classes. And here comes in the third objection from the twelve Democratic Senators who still hold the declaration of independence a lie, and that the offices and benefits of government belong only to the superior or ruling classes—the "first families"—while the burdens belong to the inferior classes (these terms, "superior" and "inferior," are of Democratic coinage,) the poor men and the negroes

The next objection to the bill is that it makes it unlawful for the State of Virginia to deprive any citizen or class of citizens of the school rights and privileges secured by the constitution. This provision is more objectionable than some of the others because it will not only deprive the Democracy of the exquisite luxury of kicking colored children out of school, but by opening the doors of education to the negroes, it will enable them soon to compete intelligently with other classes in the industries of the State, and mayhap, successfully with their Democratic fellow citizens in the race for office What a dismal prospect this opens to the Democracy let the "strict party vote" in the Senate and the howl of indignation from the Democratic press, attest.

The objections to the bill, lumped off, amount to just this The men who tried to destroy the United States government are not permitted, through perjury to try their hands at destroying reconstructed Virginia, and are not to be allowed to restore the old status of a white aristocracy owning and governing the masses of "poor white trash" and negroes Of course, under such circumstances it would be unnatural if the Democracy did not object. They prefer that Virginia despite the appeals of her people should be nothing rather than not be as of old under the regime of slaveocracy

Eligibility of Negroes to the Office of United States Senator

Some discussion based on the reported election of a negro United States Senator from Mississippi—is going on in the Eastern papers, as to whether a negro is eligible to the office of United States Senator The Constitution of the United States requires as qualifications of a Senator that he shall have attained to the age of thirty years, and shall been nine years a citizen of the United States, and at the time of his election an inhabitant of the State for which he shall be chosen Without these qualifications no person can be a Senator of the United States The Mississippi Senator elect H R Revels is a negro possessing the requisite qualifications except it may be that of citizenship for nine years prior to election, which is the point under discussion The argument is not necessarily a long one It is not claimed by anybody that the negroes were citizens under the Constitutional interpretation till they were made such by the civil rights act of 1866. Prior to that time by the ruling of the Supreme Court in the Dred Scott case negroes though free were held to be not citizens of the United States It is true they were voters in certain States under the operation of local laws but there was no law of the United States till April 6th 1866 which recognized them as citizens The passage of the civil rights act by Congress was in itself a recognition of this fact The citizenship of the negro should begin then to run from that date and it is clear that no negro has been for nine years a citizen and therefore no negro is now eligible to the office of United States Senator That seems to be about all there is in the argument

The Northern Pacific Railroad

The dispatches say that the Committee on the Pacific Railroad has agreed to report a bill authorizing the Northern Pacific Railroad to change the western terminus of the road from Puget Sound to the Columbia River The original bill provided for a terminus on Puget Sound and one also on the Columbia River for the building of two roads from some point East of the Mountains not more than three hundred miles from Puget Sound The time for the construction is short and the object of this new bill is probably to enable the company to make a Pacific connection without the necessity of building 300 extra miles of road to make two such connections, and thus to make the construction of the trunk line more certain within the prescribed time Other dispatches of the same date announce that a bill has been introduced to grant a subsidy for a road from Portland to Puget Sound so it will be seen that the terminus of the Northern Pacific as well as of all the Oregon roads will still be at Puget Sound About the only difference this arrangement will make to the Puget Sounders will be that "terminal" real estate at the upper end of the Sound will first feel the effect of the railroad stimulus

Editorial Notes

The Salem *Press* says "as certain as the [Fifteenth] Amendment is adopted will Chinese suffrage follow" On the contrary, suffrage *cannot* be given to Chinese till they become naturalized *citizens*, and the two governments took especial care to provide in the late treaty that nothing contained in it should be construed to give any right of naturalization to the citizens or subjects of either country in the other Naturalization of Chinamen in the United States is against the policy equally of both the contracting governments.

The "New Democratic Party," recently organized in New York, is intensely Democratic in the original significance of the word. We see by the New York papers that its founders base the party on the fundamental principle of requiring reference to the people of all laws passed by their legislative representatives, as is done in several of the Swiss cantons That would be a high old government whose Congress must submit its acts for approval to ten million voters before they could take effect The new Democratic party is almost as practical in its idea as the old one.

The editor of the *Democratic Press* has soured. He was not mentioned among those Democratic aspirants whose claims are likely to be considered in the nomination for State Printer, and he is glad of it—in short, gratified that his name has not been associated with any of that crowd, "designated as belonging to any clique, faction, wing or division of the Democratic party, or abusing the influence of our position as a party organ to forestall the deliberative action of a nominating convention, either for self or others" That seems to be a circular, swingeing blow which hits the brethren all round The "boys" must look out for the safety of their "snoots"

In relation to the comparative magnitude of the late Department estimates and those of Johnson's administration, the Democracy are not likely to make near so much capital as they at first hoped In the debates in Congress, we find many facts which did not appear along with Mr Dawes' statements as telegraphed Mr Dickey, of Pennsylvania, showed that the administration of Johnson in its last year, actually expended $325 000 000, and then estimated for the first year of Grant's administration only $303,000,000. Johnson's administration exceeded the appropriations of its last year by the snug little sum of $53,000 000, leaving that amount of indebtedness on account of current expenses to be carried by Grant's administration, on estimates of $303,000,000. Well might Mr Dickey say that "Johnson's Secretary of the Treasury made these reduced estimates, not for that administration and for its friends, but for the succeeding administration and his enemies He estimated, and Congress cut down the appropriations Some people thought it was wise and some people thought otherwise An adverse administration estimated for the present administration only $303,000,000, when it had itself expended $325,000 000

A New State Wanted

[From the Pittsburg Dispatch, Jan 22]

An effort is now making to consolidate the State of Delaware, the eastern part of Maryland and Accomac county in Virginia, into a new State, to called Chesapeake The 13 counties in the three States make the peninsula lying between the Chesapeake, the Delaware river and the Atlantic Ocean It is believed that these counties have a population and identical interests of sufficient importance to warrant their creation into a new State. Under the proposed plan, Delaware, of course, loses its identity, but this is to offset the objection which the people of Virginia and Maryland in the counties adjoining might have an annexation to so small a State as Delaware, which by compromise may become the larger and more important State of Chesapeake The plan is not a new one Simon Cameron as Secretary of War in 1861 officially recommended it and it has been discussed from time to time ever since The reason given for moving in the matter now is that, if the new State is to be created, it can be ranked in the enumeration estimates and statistics of the census about to be taken as the State of Chesapeake not Delaware

A medal is to be struck in France in commemoration of the discovery of the hundredth of the small planets which were found last year Upon the obverse is a female floating in space dropping little globes from her right hand upon the reverse are medallion portraits of the Englishman Hind the Frenchman Goldsmidt and the German Luther The first discovered ten asteroids the second fourteen and the third seventeen America is not represented although Dr Watson of Michigan has already added nine to the list and was the discoverer of the one hundredth to commemorate which the medal was struck

A settler on the neutral lands recently wrote a letter to Governor Harvey of Kansas demanding to know by whose authority troops are stationed thereon and announcing that the settlers will defend their rights their homes and their firesides, peaceably if they can forcibly if they must Governor Harvey replied that he is responsible for all his official actions and that if the writer desired further correspondence he would be gratified upon couching his letters in terms fit and proper for one gentleman to use in addressing another

OREGON

Th[illegible] Salem [illegible] lumber for a hall for $10 40 per thousand feet

The people of [illegible] Yamhill county are to have a literary entertainment on the 14th inst

C H Hall of Salem has received an appointment as [illegible] for the Grand Ronde Indian Agency and will [illegible] the duties of his office at once

From the Salem [illegible] of the 9th Mr S R Hamer [illegible] a very fine map of Salem

Mr [illegible] Cartwright agent of the California [illegible] went up to Albany yesterday [illegible] for the purpose of opening his office there He has already contracted for the first [illegible] 1,000 acres of land The [illegible] has authorized a loan of $700 [illegible] pay [illegible]

The Salem Statesman of the 9th says The Commercial Hotel Company yesterday completed their organization by the election of the following officers President John F Miller Vice President [illegible] Secretary [illegible] Treasurer [illegible] Wright Business Agent [illegible] The above named gentlemen constitute the Board of Directors Mr D [illegible] commences immediately and work commences this week

From the McMinnville *Herald* of the 9th Hon H N George visited our town last week and called on us while here He came to consult with the Trustees of the College about taking charge of that institution We learn that satisfactory arrangements were effected and that Mr George will soon locate in McMinnville Improvements continue to spring up about town notwithstanding the unfavorable season Several new buildings have been put in course of erection within the last few days

Can a State Revoke its Assent to a Constitutional Amendment?

The New York *Evening Post* thus strictly discusses this question

In an instance the Legislature of this State last year gave its sanction to the Fifteenth Amendment to the Constitution, and the official record of this action, signed by our Democratic Governor John T Hoffman is now on record in the State Department in Washington It is proposed by the Democrats in the present Legislature to go back a year and annul the act This it is plain can only be done by turning back the wheels of time and destroying the past by living over again and in a different form a part of the life the State has already lived Whether or not it is within the prerogative of Omnipotence to cause that not to have been done which has been done, is a question on which we shall not enter here; lovers of the scholastic theology will find that it was discussed and decided in the negative, on metaphysical grounds, in the twelfth century, but certainly the power to do this cannot be claimed for anything less than Omnipotence And yet it is precisely what our Legislature will claim, should it finally pass the Senate resolution "withdrawing" its assent to the Fifteenth Amendment

The act has been done, with all its consequences it has passed beyond the control of the State, it has become for the Democratic party "portion and parcel of the dreadful past" It is of the nature of a compact with Congress and with the other States and is as irrevocable as any other act which is in history The State has nothing now to do with it and can interfere with the course of its adoption or of its failure no more If a State can revoke a solemn act of this kind, which its constitution provides that it shall perform once for all, then it may as South Carolina claimed the right to do nine years ago—it may revoke its assent to the Constitution itself Why raise this issue again? Has not the Democratic party had enough of the principle of secession? Does it believe that the people are ready to unsettle again a question which has just been settled at the cost of most of their public and private burdens and sorrows for the last nine years?

Of course, neither Congress nor the executive can take any notice of such action, if taken or pretended by our State. But why should the Legislature wish to disgrace the State by putting it in an attitude of vain and absurd protest before the world against its own act? And why should the Democrats wish to embarrass their own favorite Governor, by driving him either to insult them by suppressing their resolution, or to humiliate himself by weakly denouncing his own certificate and seal, now and hereafter the final evidence to the nation and the world of New York's approval of this amendment, as an empty and false form?

Another of Lincoln's Stories

The Norwalk (Conn) *Gazette* tells the following story, in which President Lincoln and Augustus Brandagee, former member of Congress from the Third District of that State, figured.

It seems Brandagee was earnestly in favor of Henry Hammond's being appointed United States Marshal while certain other members of the Connecticut delegation opposed "But Brandagee had a way of working for his friends and after going over all of Hammond's good qualities and claims pretty vehemently, culminated by the question "Now, Mr President, mayn't I rely upon your supporting Hammond?" "Well Brandagee," responded Lincoln "do you mean to force me to a decision now?" "Of course I do," responded the resolute little Congressman. "Well then, Brandagee, I'll have to answer by telling a little story

"Out in our town of Springfield, some years ago, a thick headed and very conceited young fop of a lawyer dropped down upon us and opened an office He waited long and patiently for a 'case,' and finally caught a victim, who had a cause to come before a village Justice was a wag in his way and had his eye upon a green legal fledgling At daylight the next morning the young lawyer called at the 'Squire's house and getting him aside, said he had come thus early on a most confidential errand In fact, he had got his first case and before it was brought into open Court he thought he would come down and see him privately about it as it being his first case it was of the utmost importance that he should win, and therefore he had come to fix it in a strictly confidential way beforehand 'All right,' said the Squire entering into the spirit of the affair with seeming enthusiasm 'Now, state all the points in your case and I'll listen' The assured attorney went over it with an air of triumph, and waited for the Justice's decision 'Well my friend I must say, as you state the case I should be compelled to decide against you' 'What 'Squire! you don't say so?' 'Yes, I couldn't help it, as you state it but I don't know but the other side might help you out so I could stand by you' "

Lincoln, either upon hearing or telling a good story, laughed all over and Brandagee soon discovered that it was for the story and not the moral, that the President had run it off for Hammond was appointed

The British public are greatly exercised about the meaning of American slang phrases just now and it is hardly safe to use one of them across the water in any kind of respectable society The use of the word "buncome" for instance came very near leading to a storm in Edinburg the other day At a town council meeting a member having declared the speeches of his associates to be all "buncome" was requested to withdraw the offensive word when the following conversation took place Mr Hope I require the withdrawal of that word "buncome" [Interruption] I take my stand on that word and say it must be withdrawn [Hear hear and uproar] The Lord Provost What is the meaning of it? Mr Hope I don't know I can't define it but it is a defilement and an abomination [Great laughter] Bail Miller If the word I have unfortunately used is offensive to anybody I will withdraw it and so the offensive yet harmless word was withdrawn

Driven a[illegible] my Girl Judge Hugh Brackenridge of the Supreme Court of Pennsylvania the witty author of "Modern Chivalry" whilst riding through Westmoreland county saw a girl who was going out to milk the cows place her hand on the top rail of a fence and spring over "If you can do that again my girl I will marry you" The girl did so The judge dismounted saw the parents of the girl, and told them that he would undertake the education of their daughter, and afterwards marry her, which was done

IDAHO TERRITORY

[illegible]

From [illegible]

We hear a report on our streets that Charly [illegible] of Shepherd's Express and the messenger of Knapp & Co's Express running between this city and [illegible] Creek have not made their appearance at Idaho City for two weeks About two weeks ago the messengers left [illegible] expecting to return within a week since which time they have not been heard from As they have made weekly trips regularly till now it is supposed the storms in the mountains have prevented their returning or they are lost

A Stone Man from the Heavens

[illegible]

From [illegible]

We are informed that on New Year's day there was a great [illegible] meeting at the [illegible] sawmill in this county About [illegible] o'clock P M [illegible] sharp detonating noises like cannon [illegible] found many holes in the ground which emitted smoke and [illegible] On investigation it was found that each hole was the receptacle of [illegible] weighing from a pound to [illegible] in weight They were very hot [illegible] and had just been hurled to the earth

While expressing their astonishment the men assembled were terror stricken by a strange unearthly noise like the rending of a shell and with a tremendous thump, some heavy body struck the ground about twenty yards distant and from the hole just made was emitted [illegible] that of a steam engine The hole was some six feet in length by two in breadth and the falling body had penetrated the earth some four or five feet to the solid rock

But now comes the strangest part of the story and but for the reliability of our many informants would be looked upon only as an invention of some modern Baron Munchausen The stone on being excavated was found to have the human form It resembles common meteoric stones in its formation but has the perfect form of a full grown man The features finger nails and hair all are perfect The legs are straight, and arms folded on the breast It measures 5 feet 10 ½ inches in length Several scientific men have already examined it but what puzzles the most astute of them is its having the human form

Bohnett's Cologne has attained an enormous sale *New Yorker*

NEW TO-DAY.

FIRST ANNUAL GRAND BALL!

To be given for the benefit of the

CONC. AHABAI SHALOME

AT THE

PHILHARMONIC HALL,

On the evening of

MARCH 17th, 1870.

Committee of Arrangements:
R KRAG — M S STINE
P LEVIN — H WOLFF
Reception Committee:
P S OSTHEIM — S M LYON,
JACOB MAYER — S HARRIS
Floor Managers:
JULIUS STERN, — J BACHMAN,
J KAHN — L LEVIN

MUSIC BY THE 23D INFANTRY BAND.

Tickets $5 00, to be had of the Committees f10d1d

Notice.

THE COMMITTEE OF ARRANGEMENTS FOR the Ball of the Portland Hibernian Benevolent Society will meet at their Hall this (Thursday) evening at 7 o'clock precisely.
Names of the Committee T Rodgers T Brandon P Galtens, J Brady, A Mallon, J Wilson J Carrol P. Martin, W P Burke 1t

Wanted.

A CHILD'S NURSE. LIBERAL WAGES WILL be paid for one who thoroughly understands the care of children Apply North East corner First and D streets between 10 o'clock A M and 1 o'clock P M
10d6t

The Seventh Annual

MILITARY AND CIVIC BALL!

OF THE

WASHINGTON GUARD

Will be given at their

ARMORY

ON

TUESDAY EVENING, FEB. 22, 1870

In honor of the birthday of the Father of the Republic
GEORGE WASHINGTON.

Committee of Arrangements:
Z D BONES, — A BUSHWILER
ALEX CAMPBELL, — J E FOORD
ED WILCOX
Reception Committee:
CAPT C S MILLS, — LIEUT W M YOUNG
LIEUT S V FULLER
Floor Managers:
JAMES L TAN — S V FULLER
J E FOORD

Music by the 23d Infantry Band

TICKETS $3 00
f9 1t 12p

PORTLAND STEAM SAW MILLS,

195 FRONT STREET,

ARE NOW RUNNING AND THE PROPRIETORS

STIMSON & ROGERS,

Are prepared to furnish on the shortest possible notice and at prices as low as those of any other firm All kinds of

ROUGH AND DRESSED LUMBER.

Any person wishing to demonstrate the truth of this is cordially invited to

COME AND SEE US.

jan17 1tf STIMSON & ROGERS

THE

WILLAMETTE STEAM SAWMILLS

WILL COMMENCE RUNNING AGAIN ON MONday 17th inst when we will be prepared to furnish our customers with lumber at reduced prices
ESTES & STIMSON
Portland Jan 14th 1870 ja15d1m3p

Ex Bark HEATON.

JUST RECEIVED DIrect from the Manufactory of JENNY & SON

10

Of their Celebrated

PIANOS,

OVERSTRUNG WITH PATENT AGRAFFE [illegible]
MASON & HAMLIN'S ORGANS
VIOLINS VIOLIN STRINGS ACCORDEONS and all other kinds of MUSICAL INSTRUMENTS all [illegible] less than San Francisco prices
NEW PIANOS to Rent and kept in tune
All kinds of Instruments Tuned and Repaired
d Claw tf H. SINSHEIMER

J. F. JONES & CO.,

STEAM COFFEE & SPICE MILLS,

COR MAIN AND SECOND STS

PORTLAND OREGON

THE BEST CHARTRES O. G JAVA AND MOCHA

GROUND COFFEE,

AND ALL KINDS OF SPICES ALWAYS [illegible]

[illegible]

PROFESSOR SEDLAK'S

PIANOS TO RENT,

AT McCORMICK'S BOOKSTORE

Dissolution

THE CONNECTION BETWEEN THE UNDERsigned [illegible] in the practice of law has been dissolved by mutual consent
W LAIR HILL
M P MULKEY
fe8d1m

ORO FINO THEATER

Sole Lessee & Manager — Mrs F M BATES
Stage Manager — Mr J H VINSON

[illegible]

Mrs F. M. BATES,

MR H M BATES

THURSDAY EVENING, FEB 1? 1870

THE LOVE CHASE!

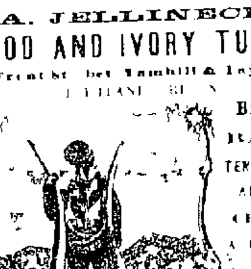
The Area Belle!

SATURDAY BATES MATINEE!

A. JELLINECK,

WOOD AND IVORY TURNER,

Front St bet Yamhill & Taylor
PORTLAND OREGON



Billiard
BALLS
TENPIN BALLS
AND FINE
CHECKS

JAC N STITZEL — JAMES B UPTON

STITZEL & UPTON,

Real Estate Brokers,

Cor FRONT & WASHINGTON Sts.

PORTLAND OREGON

GENERAL LAND AGENCY OF OREGON

ESTABLISHED JULY 1868

Will attend to the Purchase and Sale of Real Estate in all parts of this City and State

HOUSES RENTED AND RENTS COLLECTED

LOANS NEGOTIATED ON COLLATERAL AND FIRST MORTGAGE SECURITY

Notice.

Portland Feb 4th 1870

I HAVE THIS DAY SOLD MY INTEREST IN THE firm of JACKSON SANDERSON & CO to W JACKSON & CO who will pay all debts of the firm and collect all moneys due it
E I SANDERSON

Having purchased the interest of Mr E I Sanderson in the firm of Jackson Sanderson & Co we shall continue the business as heretofore of Importing and Jobbing

CROCKERY, GLASSWARE,

Wood and Willow Ware, &c ,

At the old stand NO 38 FRONT STREET Portland
Portland Feb 4th, 1870
fe15d2p3d1 — W JACKSON & CO

Valentines!
Valentines!
Valentines!

McCORMICK

HAS A FULL SUPPLY FOR JOBBING OR RETail Trade at

LESS THAN SAN FRANCISCO PRICES
jan27 1tw

NEW STORE! NEW GOODS!

WILLIAM BECK,

IMPORTER AND DEALER IN

FANCY GOODS!

BEADS BASKETS WILLOW WARE BIRD CAGES
CUTLERY AND FIRE ARMS,
of every description, has opened

A BRANCH STORE

of his business

Morrison st , bet Second and Third,

WHERE HE WILL KEEP A FINE STOCK OF [illegible] constantly on hand Just received by Railroad direct from the manufacturers a fine lot of

CHILDREN'S CARRIAGES!

Four Wheels and New Style

Also the AGENCY of the WHEELER & WILSON'S IMPROVED FAMILY SEWING MACHINES
MACHINE TRIMMINGS NEEDLES THREAD and SILK constantly on hand Machines for Sale Rented and Repaired

Notice.

HAVING RENTED THE THREE STORY BRICK Building on the corner of Main and Front streets [illegible] H B M STONER & CO [illegible] prepared to RECEIVE ON STORAGE all kinds of Goods [illegible] AT LOW RATES

HAY AND LUMBER STORAGE

[illegible] Country Storage solicited Also on hand [illegible]

DRY GOODS. BOOTS AND SHOES,
AND GROCERIES.

COUNTRY PRODUCE PURCHASED

F M ARNOLD,

[illegible]

A CARD.

THE UNDERSIGNED INTENDING TO LEAVE FOR New York [illegible]

FINE CUSTOM CLOTHING!

[illegible]
jan25 1w — WM CURRIER

NEW CANDY MANUFACTORY!

ALISKY & HEGELE

[illegible]

FRENCH & AMERICAN CANDIES.

[illegible]

PORTLAND CANDY MANUFACTORY

No 107 First Street

P. VAN FRIDACH,

FRENCH MILLINERY & DRY GOODS

STORE,

No 105 FIRST STREET,

Change of Firm.

NOTICE IS HEREBY GIVEN THAT [illegible]
[illegible] WALKER
CHAS [illegible]

ORIGINAL PAXARATTA

AMERICAN CHOP HOUSE.

[illegible]
A MATTHEW

North Pacific Transportation Co.

San Francisco Direct,

MONTANA.

TUESDAY, FEBRUARY 15 1870

For Victoria, B. C.,

PORT TOWNSEND SEATTLE
STEILACOOM & OLYMPIA

STEAMSHIP

CALIFORNIA

[illegible]

TUESDAY FEBRUARY 15 1870,

[illegible]
F W WHEELER Agent

FOR THE HOLIDAYS!

JOHN B. MILLER,

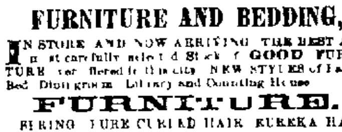
Watchmaker & Jeweler,

No 101 FRONT ST., COR ALDER,

HAS JUST RECEIVED PER STEAMER A SPLENdid selection of goods suitable for Presents consisting of Watches and Clocks, Moss Agate, Enamel and Gold Jewelry
[illegible] Self-Winding Watches, [illegible] LANGE Dresden and EDWARD FERREGANT [illegible]
The public are invited to call and examine my Stock [illegible]
WATCHES and JEWELRY REPAIRED in the best workmanlike manner — J B MILLER
101 Front St , Portland Oregon

HURGREN & SHINDLER.

MANUFACTURERS AND IMPORTERS OF



FURNITURE AND BEDDING,

IN STORE AND NOW ARRIVING THE BEST AND most carefully selected Stock of GOOD FURNITURE ever offered in this city NEW STYLES of Parlor Bed Dining room Library and Counting House

FURNITURE.

SPRING PURE CURLED HAIR EUREKA HAIR, MOSS, PULU and EXCELSIOR

MATTRESSES.

BLACK WALNUT LUMBER,
GILT ROSEWOOD and WALNUT MOULDINGS
Goods in original packages sold at San Francisco prices and freight
The Public are invited to examine our Stock
WAREROOMS—Corner FIRST and SALMON STREETS, PORTLAND.

SHEPARD RUBBER BOOTS.

(Patented December 1st, 1868)

LEATHER (OUTSIDE) SOLES
IRON CLAD HEELS

THE USUAL WAY OF NAILING LEATHER SOLES on Rubber Boots makes holes quite through the Soles which are sure to leak These Leather Soles are [illegible] embedded in the Rubber when the Boots are made [illegible] through the Soles The Boots are therefore perfectly Water-Proof and the Soles can be mended without making them leak They will wear three or four times longer than the ordinary double sole Rubber Boots
RUBBER CLOTHING COMPANY,
347 Broadway New York
83 Lake Street Chicago
feb8d1m — 607 Market St San Francisco

To the Business Men and People of Oregon and Washington Territory

HAVING LOCATED IN SAN FRANCISCO I AM prepared to attend to the selection and purchase of all kinds of goods found in this market and having an extensive acquaintance with dealers here, I will be enabled to buy such articles as may be ordered through me, at reasonable prices All orders entrusted to my care will receive prompt attention and selections will be made with scrupulous care; always keeping in view, the interests and confidence of my patrons
P S—I will pay special attention to the selection of Piano Organs and all kinds of musical instruments. Persons ordering through me, will save at least ten per cent [illegible] will be made on purchases [illegible] known parties on thirty and sixty days [illegible]
W T SHANAHAN
[illegible] Lock Box, 1108
REFERENCES [illegible] Lindsley Wm Wadhams [illegible] C F Leaton Salem — jan1d1f

J. B. CONGLE,

96 FRONT STREET, PORTLAND

Next [illegible] Burrell & Co)

SADDLERY, HARDWARE,

Saddles, Bridles,

WHIPS AND HARNESS

OF EVERY DESCRIPTION

CARMEN ISLAND SALT

WARRANTED PURE.

ROCK COARSE GROUND DAIRY AND TABLE SALT always on hand and for sale in quantities
[illegible] & BRENHAM
[illegible] San Francisco

WM. H. CILLIAM,

Commission Dealer

PRODUCE.

[illegible]

Storage of Fruits and Vegetables.

YESLER'S WHARF SEATTLE W T

MATZES!
MATZES!!
MATZES!!!

CHEAPER THAN EVER

[illegible]

HIMES & DALY,

JOB PRINTING OFFICE!

[illegible] FRONT ST bet Washington & Alder

ESTABLISHED 1860

PARRISH & ATKINSON,

COLLECTORS AND REAL ESTATE

BROKERS,

No 110 Front St Portland, Oregon

Auction and Commission,

A B RICHARDSON,

AUCTIONEER,

Corner of Front and [illegible] Streets

AUCTION SALES

[illegible]

Sale Days Wednesday and Saturday

aug26 — A B RICHARDSON Auctioneer

At Private Sale.

[illegible]

Large assortment of GROCERIES & LIQUORS
A B RICHARDSON Auct

Regular and Peremptory Sale

Groceries, Furniture,

GENERAL MERCHANDISE, &C.

I will sell at my Auction Sales Room,

ON SATURDAY FEBRUARY 12, 1870

AT 10 o'clock A M

[illegible] FAMILY SOAP;
ALSO
[illegible] CANDLES,
[illegible] ADAMANTINE
ALSO
[illegible] JAPAN TEA
[illegible] HYSON TEA
ALSO
[illegible] CLOTHES BASKETS;
[illegible] MARKET
ALSO
[illegible] DRIED PEACHES
[illegible] DRIED APPLES

Also FURNITURE

A B RICHARDSON, A

Travelers Going to Eastern Sta

WILL FIND THE

CHICAGO, ROCK ISLAND & PACI

RAILROAD

in connection with

CENTRAL & UNION PACI

RAILROADS!

THE ONLY RELIABLE RO

between

San Francisco and Chi

The Finest Parlor Sleeping

In the United States are run on this

WHEN PURCHASING THROUGH TICKETS C P R R Office at San F to call for them via ROCK ISLAND ROUTE. Trains connect at Chicago with all Eastern
HUGH RIDDLE, — A M SMITH
Gen l Supt Chicago — Gen l Pass Agent,
A H COOK,
ja17d2ptf — [illegible] Agent San F

A FEARFUL RESPONSIBILITY rests upon charged with the care of children, A carelect in the timely use of a well known, safe certain remedy for that most [illegible] dangerous complaint called Croup should subject the party to the severest censure, when it is well known that a bottle of NEW ELL'S PULMONARY SYRUP would have ward ed off

CROUP!

the attack
Mothers and Nurses, keep it by your bedside, and use it without fear upon the first symptom and with a certainty of immediate relief! NEWELL'S PULMONARY SYRUP is [illegible] ly recommended as a SURE [illegible] Coughs Colds, [illegible], Croup, [illegible] Cough, and all Pulmonary complaints but try it, you will never wish to be [illegible]
j nald2wly

PHILLIPS, TABER & CO

Wholesale Gro

No. 310 FRONT STREE

SAN FRANCISC

THE UNDERSIGNED HAVING FORMED A partnership under the above firm [illegible] and Wholesale Dealers in GRO VISIONS take this method of solicit chants of Oregon Washington and Idaho patronage.
Careful and prompt attention will be given orders
Consignments of Oregon Produce solicited
D. L. [illegible]
[illegible]
San Francisco Sept. 20 1869

NOTICE.

THE JUDGES AT THE GREAT Fair of 1869 have awarded

CASS [illegible]

XXX WILD GRAPE ROOT

The First Premium above all oth
For sale in Portland Oregon, by
HILDBURGH [illegible]
CORBITT & MAC
d20d2m 2p — E MARTIN & CO.

SEEDS! SEE

FRESH SUPPLIES OF

GARDEN, FLOWER, FRUIT AN

SEE

Received by every [illegible]

GRASS AND CLOVER

Of suitable varieties for this [illegible]

The Largest Collection

To be found on this Coast Orders, by mail promptly attended to in their turn.
Address — GEO F SILVESTER
jal4d2m&18 2m — 317 Washington St,

REMOVA

E. CAHALIN

Has removed his Stock of

Leather and Find

TO

No. 98 Front street, P

CASH PAID FOR HIDES AN

Country Dealers supplied on liberal terms LEGS made to order
Agents for Minenweber & Co Sole Leather

Columbia Iron Wo

OAK ST., bet Front

PORTLAND OREGON

JOHN HONEYMAN &

Manufacturers of Marine and Portable

ENCINES AND BOIL

Grist and Saw Mills

IRON FRON

AND IRON AND BRASS CAST

[illegible]

WANT

[illegible]

POP-CORN

PER STEAMER AJA [illegible]

GOODS EXCHANGED FOR SETTING

Only Store on the coast that offer Inducements.

he Daily Oregon

TUESDAY MORNING FEB

CITY.

[illegible] Wednesday even of the Common Council of the city [illegible]

Present [illegible] Creek Moffet and Dunphy

[illegible] the last meeting read and a

PETITIONS REMONSTRANCES ETC

[illegible] Smith House [illegible] part the street [illegible] building purposes read an the ed granted

[illegible] W [illegible] own for use street for building purposes read and granted

A pe[illegible] March and others par A street vacated read and referre Committee on Streets and Public Propert

A pet[illegible] W Burnside and oth the extension of Pine street read and ref the same committee

[illegible] R Thompson and others improvement of Third street read and ref the same committee

[illegible] C Phillips and others improvement of Park between F and G set [illegible] that portion of said Pa overflowed with water from the impro made [illegible] other portions was read and re the same committee

REPORTS OF OFFICERS

The City Surveyor submitted a report of survey of the extension of North Thi which was read and adopted

The Chief Engineer asked permission blank notices in regard to fines, printed far referred to the Committee on Fire an with power to have the printing done if necessary A communication from the sa our was referred to the same committee

CLAIMS AGAINST THE CITY

The following claims against the city w by warrants on the appropriate funds O bourn City Assessor, $600 S. J McC stationery $36 18 S J McCormick, pub ordinances, $100, S G Skidmore, $2; Bros $30 H D Chapman, $25 W Be M. Dolan, $8 75, James Dougherty Himes & Daly, (two bills) $50 C H $2 50 William Vincent $6; City Survey Assistants, $351 75

PAY ROLL FOR JANUARY.

W S Caldwell Auditor and Clerk $1 Saunders City Marshal $125 John D Deputy, $100 W P Blake Deputy, $10 Shartle, Street Commissioner $75; Blum Rosenblatt, rent of Council Chamber, $5 Weigand rent of Engine House, $40, Water Company $50

ORDINANCES

An ordinance adopting the report of Surveyor in the matter of the extension o Third street read a first and [illegible] suspended ordinance read a third time and

An ordinance making an appropriation erection, lighting and keeping the street order read a first and second time, rules ordinance read a third time and passed.

An ordinance making an appropriation improvement opening, extension and re streets, read a first and second time, rul pended, ordinance read a third time and

An ordinance making appropriations purchase of a lot and the erection of an House thereon, read a first and second ti laid over

An ordinance making an appropriation interest on the Willamette River, Bonds, first and second time, rules suspended, or read a third time and passed.

An ordinance to provide for the impro of blocks No 54 and 55, read a first and time, rules suspended, ordinance read a thi and passed

An ordinance increasing the salary of ditor and Clerk to $2,100 per annum, rea and second time and referred to the Comm St and Public Property

MISCELLANEOUS

The Auditor was instructed to give noti the Common Council propose to improve street from Pine to Harrison

The Committee on Streets and Public was instructed to investigate matters pe to the surveying done by the City, and if such surveying could not be done cheap

The Auditor was instructed to extend t on the assessment roll, and deliver the the Treasurer for collection

The City Attorney was requested to fur Common Council with a written opinion ing the title of the city to streets in C addition

The Auditor was instructed to give not the Council propose to establish the grad E and G Streets

The Committee on Streets and Public was instructed to have repairs and al made in the offices of the City Audito veyor

On motion the Council adjourned.

Baird Items.—The Lodge room in lows' Temple in this city is almost When fully completed, and furnished a plated, it will doubtless be the finest h State.

Three good sized store rooms have be out of the old Methodist church on Tayl

The Circuit Court for this county will next Monday The calendar is not a la

Mr S G Skidmore is clearing away foundations of a new building to be er him on First street, between Salmon and

G. W Scoggins offers to run his horse Smith" for $500 against Fletcher's " Chief" To carry 400 lbs, any distanc 100 yards to two miles

Third street, from the Plaza to Couch tion, is becoming inconveniently muddy

At this time there is not a sea going this port though several are due.

The new Lutheran church is receiving coat of paint

A disagreement yesterday slight at magnified by harsh language on both sid near culminating in a fight on First tween two well known characters, but one didn t dare and the other was afraid to st so we were deprived of matter for a pol

No news has yet been received here of vessel at Tillamook of the schooner Champ some fears are entertained of her safety

The steamship *California* will be due Victoria the latter part of this week

The decision of the U S Supreme Co gard to legal tenders has not perceptibly the price of greenbacks here the going r terday being a shade higher than the da

The iron foundries of this city are no a very limited amount of business All o facturing interests are dull.

The doctors as well as others complai times for the profession We can't sy with them enough to wish their business

Among all the heavy freights broug from the upper Wallamet by water du past week only about 140 bushels of o been received

A large crowd of men who had nothing do congregated on First street last ev see two curs bite and tear one another

Two brick stores are vacant on Fron between Yamhill and Alder We are in think that property holders will have t to a reduction of the former high rents

It is said that live stock throughout has needed less feed during the presen than any season for several years, an same time cattle are reported in much d [illegible]

One of the [illegible] lawyers of this c out to Sandy [illegible] how it is done

The term [illegible] with our Pu friends will be [illegible] which we publish this morning

[illegible] as soon as he gets [illegible] again yesterday charged [illegible] and sent to the [illegible] Wm Turner and McInryi [illegible] ing six dollars from Wm Peters [illegible] the city of law and the complaining w absent their examination was [illegible] this morning [illegible] Thomas [illegible] of the prosecution pointed him out [illegible] defense show different case [illegible] was proved an was discharged

[illegible] have been [illegible] of the To [illegible]

A new bakery has been started [illegible] First and Main streets

The May [illegible] the several [illegible] the current fa

The weather yesterday was a good [illegible] the rain pouring do most all day

Notices are posted up about the Court offering a reward of $1 000 for the [illegible] der who swindled a [illegible] by forging the firm

The Daily Oregonian.

THURSDAY MORNING, FEBRUARY 10 1870

CITY.

COMMON COUNCIL.—Wednesday evening, Feb 9 1870, the Common Council of the city of Portland, met at the usual hour, His Honor Mayor Goldsmith, presiding

Present—Councilmen Bills, Brock, Cree, Lewis Moffett and Ripley.

Journal of the last meeting read and approved

PETITIONS MEMORIALS ETC

Petition of S D Smith for use of part of Morrison street for building purposes, read and prayer thereof granted

Petition of G W Brown for use of part of street for building purposes, read and prayer granted

A petition of J Myrick and others, to have part of A street vacated, read and referred to the Committee on Streets and Public Property

A petition of D W Burnside and others for the extension of Pine street, read and referred to the same committee

Petition of J R Thompson and others for the improvement of Third street, read and referred to the same committee

Petition of C C Phillips and others, for the improvement of Park, between F and G streets, setting forth that that portion of said Park was overflowed with water from the improvement made on other portions, was read and referred to the same committee

REPORTS OF OFFICERS.

The City Surveyor submitted a report and plat of survey of the extension of North Third street which was read and adopted

The Chief Engineer asked permission to have blank notices in regard to flues, printed. Matter referred to the Committee on Fire and Water with power to have the printing done if deemed necessary. A communication from the same officer was referred to the same committee

CLAIMS AGAINST THE CITY

The following claims against the city were paid by warrants on the appropriate funds: Oscar Kilbourn, City Assessor, $600, S. J McCormick, stationery, $36 13, S J McCormick, publishing ordinances, $100; S G Skidmore, $2; Walter Bros, $30; H D Chapman, $25, W. Beck, $10, M. Dolan, $8 75, James Dougherty, $7 50, Himes & Daly, (two bills,) $50 C H Myers, $2 50, William Vincent, $6; City Surveyor and Assistants, $383 25

PAY ROLL FOR JANUARY.

W S Caldwell Auditor and Clerk, $150, Phil Saunders, City Marshal, $125, John Donovan, Deputy, $100, W. P Blake, Deputy, $100, J F Shartle, Street Commissioner, $75; Blumauer & Rosenblatt, rent of Council Chamber, $50; C F Weigand, rent of Engine House, $40, Portland Water Company, $50.

ORDINANCES

An ordinance adopting the report of the City Surveyor in the matter of the extension of North Third street, read a first and second time, rules suspended, ordinance read a third time and passed.

An ordinance making an appropriation for the erection, lighting and keeping the street lamps in order, read a first and second time, rules suspended, ordinance read a third time and passed.

An ordinance making an appropriation for the improvement, opening, extension and repair of streets, read a first and second time, rules suspended, ordinance read a third time and passed.

An ordinance making appropriations for the purchase of a lot and the erection of an Engine House thereon, read a first and second time and laid over

An ordinance making an appropriation to pay interest on the Willamette River Bonds, read a first and second time, rules suspended, ordinance read a third time and passed.

An ordinance to provide for the improvement of blocks No 54 and 55, read a first and second time, rules suspended, ordinance read a third time and passed.

An ordinance increasing the salary of the Auditor and Clerk to $2,100 per annum, read a first and second time and referred to the Committee on Streets and Public Property.

MISCELLANEOUS.

The Auditor was instructed to give notice that the Common Council propose to improve Sixth street from Pine to Harrison.

The Committee on Streets and Public Property was instructed to investigate matters pertaining to the surveying done by the City, and ascertain if such surveying could not be done cheaper.

The Auditor was instructed to extend the taxes on the assessment roll, and deliver the same to the Treasurer for collection.

The City Attorney was requested to furnish the Common Council with a written opinion concerning the title of the city to streets in Caruthers addition.

The Auditor was instructed to give notice that the Council propose to establish the grade of E F, and G Streets.

The Committee on Streets and Public Property was instructed to have repairs and alterations made in the offices of the City Auditor and Surveyor.

On motion the Council adjourned.

[illegible].—The Lodge room in Odd Fellows' Temple in this city is almost finished. When fully completed, and furnished as contemplated, it will doubtless be the finest hall in the State

Three good sized store rooms have been made out of the old Methodist church on Taylor street.

The Circuit Court for this county will convene next Monday. The calendar is not a large one.

Mr S. G. Skidmore is clearing away for the foundations of a new building to be erected by him on First street, between Salmon and Taylor

G. W. Scoggins offers to run his horse "Dick Smith" for $500 against Fletcher's "Webfoot Chief." To carry 400 lbs, any distance, from 100 yards to two miles.

Third street, from the Plaza to Couch's Addition, is becoming inconveniently muddy.

At this time there is not a sea going vessel in this port, though several are due.

The new Lutheran church is receiving the first coat of paint.

A disagreement, yesterday, slight at first, but magnified by harsh language on both sides, came near culminating in a fight on First street between two well known characters, but one of them didn't dare and the other was afraid to strike, and so we were deprived of matter for a police item.

No news has yet been received here of the arrival at Tillamook of the schooner *Champion*, and some fears are entertained of her safety.

The steamship *California* will be due here from Victoria the latter part of this week.

The decision of the U. S. Supreme Court in regard to legal tenders has not perceptibly affected the price of greenbacks here—the going rates yesterday being a shade higher than the day before

The iron foundries of this city are now doing a very limited amount of business. All our manufacturing interests are dull.

The doctors, as well as others, complain of dull times for the profession. We can't sympathise with them enough to wish their business better.

Among all the heavy freights brought down from the upper Wallamet by water during the past week, only about 140 bushels of oats have been received.

A large crowd of men who had nothing else to do, congregated on First street last evening, to see two curs bite and tear one another.

Two brick stores, are vacant on Front street, between Yamhill and Alder. We are inclined to think that property holders will have to submit to a reduction of the former high rents

It is said that live stock, throughout the valley, has needed less feed, during the present winter than any season for several years, and at the same time, cattle are reported in much better condition than usual at this season

One of the laboring lawyers of this city will go out to Sandy to organize a Workingmen's Association, on next Saturday. He ought to know how it is done

The terminus question with our Puget Sound friends will be stirred up by the telegraphic news which we publish this morning

Gall, who figures in the Police Court, about as soon as he gets out of jail, was before the Recorder again yesterday, charged with stealing a cloak and sent to the County Jail, for thirty days. Wm Palmer and McBrigby were accused of taking six dollars from Wm Peterson without authority of law, and the complaining witness being absent, their examination was continued until this morning. Ike Thomas was charged with selling liquor to Indians, and though the evidence of the prosecution pointed him out as the identical individual, that of the defense showed a very different case. An *alibi* was proved and Thomas was discharged

Chas Hirstel, L Blum and C Rosenbaum have been elected directors of the Turn Verein Society, to serve one year

A new bakery has been started on the corner of First and Main streets.

The Mayor has signed the several ordinances levying the city tax for the current fiscal year

The weather yesterday was a good sample of Oregon winter, the rain pouring down pretty much all day.

Notices are posted up about the Recorder's Court offering a reward of $1,000 for the apprehension of one Coder, who swindled a Philadelphia firm out of $7,000 by forging the firm name.

UNITED STATES COURTS.—The United States Circuit and District Courts met yesterday morning. The District Court adjourned until next Monday at 10 A M. In the Circuit Court the proceedings of the day were as follows

G W Vaughn vs J H Lamb et al. Cause set down for argument on demurrer to cross bill on Monday the 21st inst

On motion of Hon J H Mitchell, F O Cown Esq of Clackamas county was admitted to the bar of this Court

I M Starr vs B Stark in equity. By consent complainant had leave to withdraw bill of complaint filed herein. Logan for pltf, Strong for deft

John R Lamb et al vs L H Wakefield, et al. Motion to set down cause for trial argued and submitted and by consent complainant had leave to amend their replication. Hill, Page and Thayer for pltf. Logan for deft

S G Elliott vs Ben Holladay order continuing cause to the next term at cost of deft. Prim ble Page and Thayer for plaintiff, Mitchell for deft

Order appointing the Clerk of this Court an Examiner, to take testimony and that upon application for a commission to take testimony, the Clerk have authority to appoint commissions therein

The Court adjourned until Tuesday the 15th inst, at ten o'clock in the forenoon

ORO FINO THEATER.—Last evening "The Daughter of the Regiment," a very pretty French comedy was given with good dramatic and scenic effects, with Mrs Bates in the character of Josephine, Mr Vinson as Sargeant Sculade, Mr Nobles as Guillett and the other characters by Mr Barry, Mrs Cox Mrs Bird Mr Thornton etc. There was an old fashioned welcome to Mrs Bates as she made her entree showing how firmly she holds her position as the favorite of the Portland public, and she was generally applauded throughout. Her personation of the character was very good indeed, invested as it was with all the vivacity and abandon of the young girl educated only in the rude camp of the soldier yet retaining all the modesty and natural loveliness of a warm, bright and unspoiled womanly spirit. Her musical performances in the piece, were, however, marred by an evident hoarseness of voice, the effect of a severe cold. Mrs. Bates hardly did herself justice by attempting to sing, under the circumstances. The piece as a whole went off, notwithstanding, very nicely. Messrs Vinson, Barry and Nobles, as usual, rendering effective support. The afterpiece, "The Area Belle," was a good performance, by Barry and Miss Maude [illegible] in the leading characters, supported by Mrs Cox and Messrs Melville and Thornton

COUNTY COURT.—The County Court convened at ten o'clock yesterday morning and a judgment was given in the case of Hawley, Dodd & Co vs Stephen Coffin, in favor of plaintiff.

John C. Carson, guardian of Frank E. Northrup, a minor, having resigned his trust, said minor appeared in person and having chosen Mr Carson, he was re-appointed

The Board of County Commissioners met at one o'clock afternoon, and the balance of the day was spent in receiving and reading the yearly reports of the road supervisors. License was granted to T. J. Robertson to retail spirituous liquors in East Portland upon his filing a receipt from the County Treasurer with the Clerk. Upon the same condition license to peddle goods on the steamboat *Swallow* was granted to F M. Arnold. The County Court adjourned until ten A M today. The Commissioners will meet at one tomorrow afternoon.

MEETING OF CARPENTERS.—A large number of the carpenters of this city assembled at the Temperance Library Rooms for the purpose of organizing a Carpenters' Protective Union. The meeting was called to order and Mr C Creich was chosen Chairman and G. W Brown elected Secretary. After pertinent preliminary remarks by several gentlemen, a resolution was read, providing for the appointment of a committee of ten to draft a constitution, by-laws and a set of resolutions to be presented to the body at its next meeting. The resolution was discussed at considerable length by several persons and finally adopted. The number of the committee ordered by the resolution was afterwards reduced to seven, and seven gentlemen were appointed as such committee. The tradesmen present exhibited much interest in the object of the meeting and we have no doubt they will carry it to a successful issue.

ABOUT TAXES.—The total amount of taxes paid by the people of Multnomah county this year for State purposes is $32,696 21, for county expenses, $41,613 36, for schools $11,889 53. The whole amount placed in the Sheriff's hands for collection is $92,143 86. The total amount paid by the people of this city and county this year, for county, State School Road and City tax will not fall short of $170,000 00. This does not include the revenue tax, of which Multnomah county pays as much as the rest of the State. Her State tax exceeds that of Marion county by $13,502 21

The Sheriff informs us that the time for paying taxes has about expired, and it would be well for those who have not paid to settle early and save costs.

RUN OVER.—A lad aged about twelve years, son of Mr Vollum, the bookbinder, was run over on Front street yesterday afternoon. He was crossing the street holding to the hand of a larger boy, when they stumbled and fell just in front of a passing dray. The least one was trodden upon by the horse, but fortunately the wheels of the dray did not strike his body. We are informed that no blame was attached to the drayman, who was driving at a very moderate gait when the accident happened

OPENING OF THE PLAZA.—The ordinance passed by the City Council last night to provide for the improvement of Blocks Nos. 53 and 54, authorizes the Committee on Streets and Public Property to have a fence constructed on each side of Main street when it cuts the plaza. We suppose the ordinance settles the question as to whether the plaza shall be opened

A PLEASANT PARTY.—The social dance given by the proprietor of the American Exchange last night was well attended, notwithstanding the rain, and with the excellent music and accommodating disposition manifested by Mr Quimby and his obliging clerks, the dancers enjoyed the occasion rarely.

IVORY AND WOOD TURNING.—Mr Jellineck has established a shop for turning wood and ivory of all patterns in the most workmanlike manner known to the art, and those who desire anything in that line should be sure to call on him on the levee side of Front street between Yamhill and Taylor

DIED.—The *Commercial* says it is reported that a man by the name of Davis, from Linn county, who has been confined in the Insane Asylum, in East Portland, since last summer died there yesterday morning. He was a dyer by occupation, aged about 40 years and had a family

MEETING.—It is announced that a meeting of the German citizens will be held at the Council Chamber this evening. We are not advised as to the objects of the meeting

BOARD OF DELEGATES.—The Board of Delegates of the Fire Department will meet this evening when, we suppose, the new members will be sworn in.

Who has the best assortment of Clocks and Watches in the State of Oregon? Who has the greatest variety and most elegant Jewelry? and who gives the best bargains of any jeweler in this city? B. L. STONE 107 Front St

RAILROAD MATTERS are very likely to be lively this spring. The East Side Company will engage a large force of men to complete their road to Albany, and the West Side Company will very probably build a portion of their road in order to obtain a land grant to facilitate the building of their line. [illegible] are keeping up with railroad times. Their stock of spring goods coming across the continent by rail will be the largest and finest stock of Clothing ever imported to this State. Their stock in store [illegible] to make room for large arrivals. They are manufacturers [illegible] and always have on hand a large stock of [illegible] which are offered at lowest figures

NORTH PACIFIC RAILROAD.—Recent advices indicate that the enterprise will soon be commenced and persons who desire to make a small investment that must soon appreciate many times in value will do well to call and subscribe for a few remaining shares in the Puget Sound Homestead Association. Subscription can be made at the office of the Secretary No 5 Washington street or with Mr Conklin the traveling Agent

REMOVAL.—J. W. Campbell has removed his new Patent Bed Bottom manufactory to Messrs Jensen & Reidel's Cabinet and Carpenter shop, northeast corner of Morrison and Fourth streets. Although but recently introduced, the Morrison Bed Bottom is fast coming into general use and is giving general satisfaction. Come and see it. j29d1m

ACADEMY.

The next Quarter of the PORTLAND ACADEMY and FEMALE SEMINARY will begin Monday February 14 1870
T M GATCH, Principal.

WILLIAM DAVIDSON,
Office, No. 64 Front Street,
Adjoining the Telegraph Office Portland Oregon
REAL ESTATE DEALER,
Special Collector of Claims.

The Purchase and Sale of REAL ESTATE of every description situated in the city and East Portland as well as IMPROVED FARMS and VALUABLE UNCULTIVATED LANDS situated in all parts of the State will receive the most constant attention

Investments in Real Estate and other property made for parties here and at a distance

Loans negotiated on approved Security

All kinds of Financial and General Agency Business transacted

Houses Stores and other property Leased and Rents collected

Accounts Notes Bonds Drafts, and all other Claims throughout Oregon and the Territories WILL BE MADE A SPECIALTY AND PROMPTLY COLLECTED and the proceeds punctually remitted

MR W F BROWN is my duly authorized Agent for the Collection of Accounts Notes and other Claims, and will act as my assistant in the Real Estate and all other Business

All parties having business of this sort will please apply at the office
No. 64 Front St., Portland, Oregon.
WILLIAM DAVIDSON.
f11dawtf

DR. J. H. HATCH.
DENTIST.
The patronage of those desiring FIRST-CLASS OPERATIONS respectfully solicited
Satisfaction in all cases guaranteed
NITROUS OXIDE administered for the Painless Extraction of Teeth
OFFICE—No 109 First street, opposite the Postoffice
n2dawtf

DR. J. R. CARDWELL,
Dentist.
DENTAL ROOMS,
No. 89 First Street, Portland, Oregon
The Late and Improved Styles of work at Reduced Rates. Nitrous Oxide Gas for the painless Extraction of Teeth ap12tf

What the Miners say of Hostetter's Stomach Bitters.

During the season when the Gold Harvest is generally suspended, and the reapers of the glittering crop seek the cities to enjoy themselves there is, of course, a good deal of conviviality among this enterprising and hard working class; but dram drinking is not carried to the excess it was some years ago. This may fairly be attributed to the distaste engendered by the use of HOSTETTER'S STOMACH BITTERS. This famous stomachic is in universal favor with the miners. They take it with them to the interior, and use it regularly, not as a beverage but as a strength sustaining tonic, and an antidote to the unhealthy influences to which they are exposed in the localities where they labor, and on returning to the cities and towns, they find in its refreshing and invigorating properties the best safe-guard, not only against the diseases, but against the dissipation of crowded communities. It is one of the peculiarities of the preparation that it is an antidote to inebriety. Those who take it as an appetizer and invigorant, aver that they have no desire whatever for liquor of any description, and whatever fanatics may think to the contrary, HOSTETTER'S BITTERS is a powerful ally of the temperance cause. It is because unmedicated alcohol weakens the stomach and nervous system by its reaction, that it begets a craving for itself. It excites, and when the excitement passes off, debility ensues, and more fuel is needed to renew the artificial fire that has, so to speak, burnt itself out. But the effect of the great vegetable tonic and alterative is to invigorate the system permanently and healthfully.

THE PEOPLE SAY

That PRATT'S ABOLITION OIL is the best remedy in the world for the complete and speedy cure of Rheumatism, Neuralgia, Lame Back Gout, Chilblains, Sprains, Bruises, Stiff and Swollen Joints Contracted Cords and Muscles, Pains in the Breast and Sides, Nervous Headache, Toothache, Earache, Sore Throat, Colic, Cramps, Cholera Morbus, Diarrhoea, and all internal and external aches and pains. Put up in two sizes—Price 50 cents and $1 00 Circulars with full directions around the bottles. For sale by all druggists

THE BLOOD AND LIVER.

Life and health depend on their condition. PRATT'S NEW LIFE purifies the blood, heals old sores, expels from the system all scrofulous humors, cutaneous eruption and impure matter. It stimulates the Liver and Kidneys to healthy action regulates the Bowels, cures Piles and Dyspepsia. Persons subject to Billious attacks and those suffering from the effects of Fever and Ague, or any injudicious use of Quinine and Mercury will find PRATT'S NEW LIFE invaluable. Price $1 00
Wholesale Agents, HODGE, CALEF & CO, and SMITH & DAVIS, wholesale Druggists, Portland
n16d3m3p

NEW STORE!
NEW GOODS!
Everything New!
L. C. HENRICHSEN & CO.,
WATCHMAKERS AND JEWELERS,
109 First Street,
PORTLAND, OREGON

HAVING OPENED OUR NEW STORE WITH AN Extensive Stock of New Latest and most Fashionable Styles of Goods we invite our friends and the public to call and examine our

Solid Silver Ware,
DIAMOND, PEARL,
MOSS AGATE, and other Jewelry;
GOLD AND SILVER WATCHES,
Fine French Bronze & Marble Clocks,
PLATED WARE in great variety

As we have the largest and best selected Stock of Goods in our line ever brought to this city we feel confident in saying that we can suit every purchaser
Genuine Pebble Spectacles. n25dtf

BY RAILROAD,
JUST RECEIVED
15,000 PAIRS
BOOTS and SHOES
OF THE MOST CELEBRATED MANUFACTURERS, which we can, we WILL we DO sell at the
Lowest Possible Prices.
PHILADELPHIA BOOT AND SHOE STORE.
KAST & CAHALIN,
112 Front street, and 131 First street,
o6 PORTLAND OREGON dtf

ST. HELEN'S HALL,
PORTLAND, OREGON
A BOARDING AND DAY SCHOOL
FOR GIRLS.
THE SECOND TERM WILL BEGIN
ON TUESDAY, FEBRUARY 1ST, 1870
For Circulars or terms of admission apply to
BISHOP MORRIS,
or MISS RODNEY, PORTLAND
Or to any of the Episcopal Clergy in Oregon or Washington jan11dawtf

WOOD TURNING!
ALL ORDERS IN THIS LINE NEATLY EXECUTED and promptly attended to. We have in our employ the best WOOD TURNER in the State
CARSON & PORTER,
Sash and Door Factory,
jan7d1 NORTH FRONT STREET,

For Sale.---To Let.---Wants.

For Sale.
A FEW ELEGANT HOMESTEAD LOTS in Portland, also a FARM at Sheridan Yamhill county, Oregon
Apply to DR R GLISAN
Cor Front and Washington Sts, up stairs
f14d5t

To Let.
THE ELEGANT SUIT OF ROOMS LATELY OCcupied by Major Williams over Wells Fargo & Co
Jan22dtf Apply to WM CREE

For Sale.
A LARGE NUMBER OF LOTS AND FULL BLOCKS in the town of CANEMAH at [illegible] Oregon City. If applied for before the 1st of March can be had very low. For further particulars apply at the Real Estate Office No 10 Washington street between Front and First
Jan19d1m J R WITHERELL

Situation Wanted.
AS COLLECTOR ENTRY SHIPPING OR GENeral Clerk. City references given
Address BUSINESS
Jan13d1f Portland Oregon

Wanted.
A PARTNER IN A GENERAL MERCHANDISE Business. To an active business man a rare chance is offered. Capital required from Four to Five Thousand Dollars. Enquire at OREGONIAN OFFICE
Jan7d1f

For Rent.
THE TWO STORY BRICK BUILDING NO 123 Front. Enquire of LADD & TILTON
d7tf

FARM FOR SALE
J. L. DALY
OFFERS FOR SALE HIS FARM SITUATED
SIX MILES SOUTH OF PORTLAND,
ON SALEM ROAD,
Consisting of 150 Acres, under Fence, with
A LARGE ORCHARD.
For particulars apply on the premises. n20deod8m

Wanted.
A GOOD STONE-WARE TURNER IS wanted immediately at SMITH BROS' POTTERY, Buena Vista Oregon. We will give three and a half cents per gallon and constant employment. Apply at the LABOR EXCHANGE, Portland, Or SMITH BROS Buena Vista
Jan15dawlm

Valuable Property
FOR SALE.
BEING DESIROUS OF GOING EAST, I NOW OFfer for sale my well known
FERRY, WAREHOUSE, DWELLING,
&c at very low rates. This property is situated in
BUENA VISTA,
on the Willamette river, and on the nearest and best route from Salem to Corvallis and Southern Oregon
The Ferry Boat is attached to a Suspension Wire Rope and runs by the current being safe and convenient
The Warehouse is new built on the improved plan, with solid walls above high water grain is received with an elevator
My property is as good if not the best paying property in the State at the same cost. Those wishing a bargain will please call at once on
W. L. RIGGS,
jan14d3m Buena Vista, Oregon

READ! READ! READ!
Removal! Removal!
KOSHLAND BROS.,
HAVE REMOVED TO THE BEAUTIFUL STORE in the Odd Fellows' Temple,
No 103 FIRST STREET,
Opposite the Post office where we have opened out a beautiful and well selected assortment of
STAPLE AND FANCY DRY GOODS,
Ladies and Gents' Furnishing Goods;
Ladies, Misses, Children's & Gents' Hose;
Ladies, Misses & Children's Boots & Shoes
Ladies, Misses and Children's Furs, etc.
The best assortment in the city, all of which we offer at low cash prices
N. B.—We have constantly on hand a quantity of Burlaps. Burlap Bags, Dundee Gunnies, Seamless Bags, Flour Bags, Linen, etc
We also pay the highest cash price for Furs, Hides, Wool, etc KOSHLAND BROS,
Jan5dtf No 103 First Street.

WILLAMETTE UNIVERSITY.
SALEM OREGON.
Gentlemen's Collegiate Department:
$15 PER SESSION OF 14 WEEKS.
Ladies' Collegiate Department:
$12 PER SESSION OF 14 WEEKS
Preparatory Department, 1st Year:
$9 PER SESSION OF 14 WEEKS.
Preparatory Department, 2d Year
$12 PER SESSION OF 14 WEEKS.
Payable always in Advance.
First Session commences on the Second Monday in September, Second Session commences on the first Monday in January. Third Session commences on the third Monday in April. For particulars address the President,
7 tf DR N. ROUNDS.

OLD PAPER,
OLD NEWSPAPERS,
OLD BOOKS,
OLD PAMPHLETS,
OLD MAGAZINES,
OLD BLANK BOOKS AND LEDGERS,
OLD MANUSCRIPTS,
And all kinds of
WASTE PAPER,
From Bankers, Insurance Agents, Patent Medicine Depots, Printing Offices, Book Binders, Libraries and Business Houses,
wanted at the
JUNK STORE!
FRONT STREET,
Near the FERRY LANDING my17tf

JUNK STORE.
RICHARD MILLER,
79 FRONT STREET,
Levee Side, near the Ferry Landing, will BUY
OLD RAGS, ROPE, BOTTLES, LEAD,
Brass, Copper, Iron
ETC. ETC.,
and pay the HIGHEST CASH prices
Also, will sell
SECOND-HAND SACKS, BOTTLES, ETC.
ap21 dtf

HAWLEY, DODD & CO.,
SUCCESSORS TO
JACOB UNDERHILL & CO. AND E. A. HAWLEY & CO
IMPORTERS AND DEALERS IN
HARDWARE!
IRON AND STEEL,
AGRICULTURAL IMPLEMENTS
51 Front Street,
PORTLAND OREGON
aug21 d1m

LECTURE!
IN AID OF THE
CATHOLIC LIBRARY!
AND
CHRISTIAN DOCTRINE SOCIETY!
Of Portland, Oregon
SECOND LECTURE,
Thursday Evening, February 24, 1870,
BY REV. FATHER DE CRAENE,
In St Mary's Church, corner of Third and Stark Streets
SUBJECT.—An Inspection of the Middle Ages. Civilizing Action of the Church
Lecture to commence at 7½ o'clock feb5dtd

A GREAT SUCCESS.
THE
KING OF PAIN!
45,000 BOTTLES
SOLD IN
FOUR MONTHS
IN
SAN FRANCISCO.
MORE THAN
1,000,000 BOTTLES
Sold in the Last Two Years.
EVERYBODY PLEASED
WHO USE IT
RELIEF for ALL!
HODGE, CALEF & CO,
Wholesale Agents for Oregon.

What the Hon W T Ballou says about the King of Pain
San Francisco Dec 7 1869
Dr J J McBride—Having suffered with sciatic rheumatism some months I was induced to use your King of Pain. I take pleasure in recommending it to those afflicted with rheumatism. I know of several cases of neuralgia that have been cured by using it.
W T BALLOU, of Elko Nevada

Card from Harbor Master
San Francisco Dec 2, 1869
To Dr. McBride—This is to certify that I have been troubled with neuralgia in my right arm and hand for the past three months, and although I have had medical advice, and tried a number of remedies, none has relieved me until I tried Dr McBride's King of Pain, which has done me more good than all the other remedies I have tried. JAMES S HOUSEMAN

THE GREAT KING OF PAIN.
HODGE, CALEF & CO.,
WHOLESALE AGENTS for OREGON.
DR. J. J. M'BRIDE,
TELLS YOUR DISEASE WITHOUT ASKING ANY QUESTIONS!

A CARD.
San Francisco, Oct 16, 1869
DR. MCBRIDE—My Dear Sir. For the last six or seven years I have been afflicted with rheumatic pains, from my knees down, embracing all the joints of ankle and toes. These pains have come upon me periodically every year about this season of the year. My knees and ankles, and toe joints and my wrists and finger joints would swell and leave me in the most agonizing pain, known only to those who have suffered from this dread malady. These pains would continue for a period of from three to four months every year, and they have been regular, unfailing annual visitors. I have been accustomed to apply for relief to the best citizens of San Francisco, and have not failed to use all the popular remedies known to the public. I would sometimes receive temporary relief, after long continued application but it would never fail to return in a few days with increased severity.
About two weeks ago while my pains were upon me, I saw you at the corner of one of our streets and heard what you said about your "King of Pain." I confess that I listened to you with deep distrust, indeed, I may say that I did not believe your statements. "Still," thought I, "it's only a dollar, and I'll patronize the 'humbug' one dollar's worth." I bought a bottle and tried it first on my knee, which was fearfully swollen and from which I suffered very severely. The second night I tried it again, and my dear Doctor you can judge of my surprise, ecstacy and delight, altogether when I found on rising the second morning, that my pains were entirely gone, and the swelling entirely disappeared. My knee joints were as supple as when I was young. I actually danced with delight, much to the amusement of my friends, who had been in the habit of regarding me as a decrepid old rheumatic. It has now been two weeks, and I have not felt the least symptom of return. I believe I am cured and I feel so grateful to you that I offer you this statement, verified by my oath, to be used by you in whatever way you may think proper, and I feel it a duty to let others similarly afflicted know where they can find relief.
I am, yours, very truly, RAPHAEL LOOKAYER
State of California, city and county of San Francisco. On this 18th day of October, 1869, personally appeared before me, a Justice of the Peace in and for the city and county of San Francisco aforesaid, Raphael Lookayer known to me to be the person who signed the foregoing letter, and who being by me duly sworn deposes and says the contents thereof are true.
T W TALIAFERRO, Justice of the Peace

TO THE PUBLIC
Grateful for the eminent services of Dr J J McBride, I cheerfully make a statement of the following facts. For twelve months I had suffered from prostration of my nervous system, resulting in partial paralysis and almost total loss of sight. A score of physicians had abandoned my case as hopelessly incurable, I had even heard my days numbered by doctors and friends. In the agonies of my neuralgia pain, I sought the great King of Pain. Under that benign influence, in one-half hour I had obtained more medical aid than I had known for long weary months. My sight was so much restored that I could read print, although I had needed a guide to find Dr McBride's office an hour before. Before leaving him I had regained the use of my almost palsied limbs and seemingly my strength had returned, while all those aches and pains, my constant companions, were dissipated and gone. It is now ten days since I undertook treatment with Dr McBride and I can say unhesitatingly that I am restored as I could not have expected to have been in so little time. My eyesight is most perfectly regained, my whole physical system corrected and in an undoubted health.
My residence is in Reading, I do business at No 6½ Cambridge street, in this city where I will willingly vouch in person for the truth of the foregoing to any one interested
THOS T GREENWOOD
P S.—I have done business in this city for twenty years. Thousands of citizens know me.—T T G

DR. J. J. McBRIDE'S
Great King of Pain.
Principal Office, No. 121 Post Street,
SAN FRANCISCO.
For Sale by all Dealers and Druggists
Hodge, Calef & Co.,
PORTLAND OREGON
WHOLESALE AGENTS
FOR THE
GREAT KING OF PAIN
jan4 IN OREGON dtf

Hotels and Restaurants.

THE OCCIDENTAL.
Formerly WESTERN HOTEL
COR FIRST AND MORRISON STS,
PORTLAND OREGON
Messrs SMITH & COOK
HAVE TAKEN THIS WELL KNOWN HOUSE [illegible] BEST HOTEL IN PORTLAND.
[illegible] will satisfy them [illegible] the statement [illegible]
N B [illegible] Baths attached to the House for the use of Guests SMITH & COOK
Portland August 12 1869 Proprietors
au18dtf

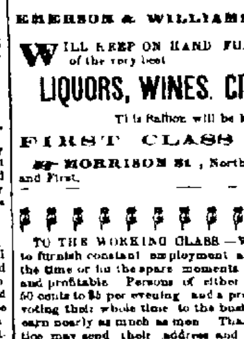
COSMOPOLITAN HOTEL.
Formerly ARRIGONI'S
J B SPRENGER, Proprietor
PORTLAND OREGON
THE UNDERSIGNED RESPECTFULLY AN[illegible] that having purchased this widely known and well kept Hotel he is now prepared to [illegible] the traveling public a GREAT [illegible] REDUCED PRICES
This Hotel is situated near the Steamboat Landing. The Hotel coach will be in attendance for every passenger [illegible] to the House *Free of Charge*
J B SPRENGER

AMERICAN EXCHANGE!
(LATE LINCOLN HOUSE)
Corner Washington and Front Streets,
PORTLAND OREGON
L. P. W QUIMBY,
HAVING taken the above House, wishes to announce to the public that he is now prepared to accommodate guests in a satisfactory manner. Nothing will be left undone, which is in the power of the proprietor to do to render guests comfortable
FREE COACH TO AND FROM THE HOUSE
Portland Feb 7 1867 dtf

NEW COLUMBIAN HOTEL!
Nos. 118, 120 and 122 Front Street
PORTLAND, OREGON
E CARNEY Proprietor
THE LARGEST BEST AND MOST CONVENIENT Hotel in Portland. Located in the center of business and near all the Steamboat Landings
AT REDUCED RATES! Board and Lodging per day from $1 50 to $2 according to the room occupied
Rooms newly furnished and well ventilated. Superior accommodations for families.
The COLUMBIAN COACH will be in attendance at all the landings to convey passengers and baggage to and from this Hotel *Free of Charge* jy15dtf

CITY HOTEL,
CORVALLIS, OREGON.
GEORGE W JOHNSON, Proprietor.
THE PROPRIETOR OF THIS HOTEL HAS COMpleted his improvements and is now keeping as good a house as there is in Oregon
Persons from the North wishing to winter in this Valley will find in the City Hotel a comfortable home
The House is open all night. Suits of rooms for Families. Office of Overland Stage Co. Frank [illegible] Telegraph Office in this house. Safe for valuables
Board with single room, $6 n26d3m

C. H. MYERS,
AGENT FOR
RUMSEY & CO.,
Seneca Falls, New York,
THE LARGEST
Pump Manufactory
IN THE WORLD.



"The Catalogue of RUMSEY & CO, of Seneca Falls, embraces over 200 different styles and sizes of Lift and Force Pumps. They are now turning out 1 500 Pumps per week, which range in price from $3 00 to $400, employing 130 hands in the business. John A. Rumsey has recently patented an improved galvanized non-corrosive cast iron Pump, which is safe from rust. An improved Hand Fire Engine of great efficiency, is also on their list. The machinery in Rumsey & Co's Factory is of the most efficient kind much of it being of the firm's own invention, and is driven by an unfailing water power. They are now building a new factory, 84x44 feet, 4 stories. When this is completed they will increase their working force to 250 hands. The business carried on by this firm was established by Rumsey about 30 years ago"—*from Age New York* d14dtf

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IRON STONE DRAIN PIPE!
WITH BENDS TEES, TRAPS &C, FROM 3 TO 8 inches, inside diameter glazed inside and out. Price from 20 cents to 45 cents per foot according to size. A splendid article and used throughout the Eastern States. Samples of this Pipe can be seen at my Store,
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WILL KEEP ON HAND FULL ASSORTMENTS of the very best
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TO THE WORKING CLASS.—We are now prepared to furnish constant employment at home the whole of the time or for the spare moments. Business new light and profitable. Persons of either sex easily earn from 50 cents to $5 per evening and a proportional sum by devoting their whole time to the business. Boys and girls earn nearly as much as men. That all who see this notice may send their address and test the business we make this unparalleled offer. To such as are not well satisfied, we will send $1 to pay for the trouble of writing. Full particulars a valuable sample which will do to commence work on, and a copy of *The People's Literary Companion*—one of the largest and best family newspapers published—all sent free by mail. Reader if you want permanent, profitable work, address E C ALLEN & CO Augusta, Maine n17dawðm

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I WILL PAY $100 REWARD FOR THE ARREST and delivery to me at Hillsboro of one G W Meek who is charged with stabbing and killing Jacob Smith. Said G W Meek is a half breed Indian about 27 years old and about 5 feet 10 inches high dark hair and eyes, had on when he left a blue soldier's overcoat and white ducking overalls
This 8th day of December 1869
J C MOORE Sheriff of Washington county Oregon
In addition to the above I will give $400 for the arrest and delivery as above of said Meek
GEORGE H SMITH
Administrator of the estate of Jacob C Smith dec6 d6dawtf

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2,000 LBS NEWSINK IN 50 LB KEGS For sale by HENRY L PITTOCK
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Manufactory Established in June, 1861.
STEAM POWER NOS 680 AND 682 FRONT ST.
HAS CONSTANTLY ON HAND GROUND AND ROASTED COFFEE of the best qualities CREAM OF TARTAR AND SPICES of all sorts.
The undersigned who has always enjoyed public confidence for the excellent quality of his Coffee neglects nothing to justify the good name acquired by his productions the sale of which daily increases. The acknowledged superiority of his merchandise, which [illegible] here and in the markets of the interior, a [illegible] higher price excites the cupidity of some manufacturers, and every day he sees increasing the number of those who, by counterfeit or imitation of his mark, seek to deceive the public palming upon them their [illegible] for the genuine G VENARD CHARTRES COFFEE. This fraud can deceive nobody after a trial, but only adds to the favorable opinion of the consumers, the very flattering though unwilling testimony of the counterfeiters. Nevertheless buyers should be forewarned, and placed on their guard against this practice.
BEWARE OF COUNTERFEITS.
Each package bears the signature of G VENARD
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Has been appointed Agent for the Sale of VENARD'S COFFEE AND SPICES my16tf

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To Dealers and Consumers of
H. & L. AXLE GREASE!
HAVING RECEIVED YOUR LIBERAL PATRONage and support during the last fifteen years and desiring to [illegible] it, and if possible to compete with our Chicago friends we have made a great reduction in price. Long experience has satisfied our patrons that the
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We manufacture is unequalled, and a continuation of their liberal patronage [illegible] to furnish it at a lower price than any article of the kind in your market.
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Importers and Dealers in
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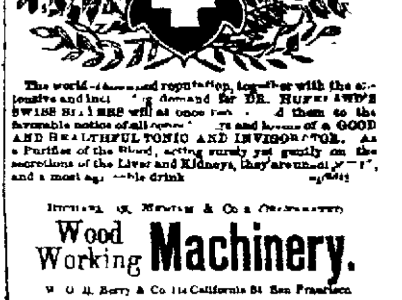

The world-renowned reputation, together with the extensive and increasing demand for DR. HOFFLAND'S SWISS BITTERS will at once [illegible] it to the favorable notice of all [illegible] a GOOD AND HEALTHFUL TONIC AND INVIGORATOR. As a Purifier of the Liver and Kidneys, acting surely yet gently on the secretions of the Liver and Kidneys, they are unequalled, and a most agreeable drink

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PATENT SINCH FASTENER!
CAN BE USED ON PACK, RIDING AND SIDE Saddles. A child large enough to lift a saddle on a horse can tighten up the girth with ease. It is very simple in construction never gets out of repair, is safe, convenient and costs very little more than the old method. State, Territorial and County Rights for sale. For the Pacific States and Territories, address C. H. HORNE, Astoria, Clatsop county, Oregon. Atlantic States, address J W GEARHART care of Messrs Barnet, Staires [illegible] Newark N J.
We respectfully refer to the following Card
Having examined the New Patent Sinch or Belly Band Fastener, invented by C. H. Horne, of Astoria, Oregon we take pleasure in informing the public that in our opinion it is one of the easiest, quickest and best method of tightening a saddle girth that has ever been in use. It also has an advantage over all others in use in being able to tighten your saddle girth without dismounting

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jan14dawtf

REDEMPTION OF
STATE RELIEF BONDS.
Amount Applicable for Redemption,
$10,000.
OFFICE STATE TREASURER, Salem January 21, 1870
SEALED PROPOSALS WILL BE RECEIVED BY the undersigned, at his office in Salem, until 12 o'clock M, on March 1 1870 for the surrender of Relief Bonds issued under the provisions of an Act of the Legislative Assembly of the State of Oregon, granting relief to Volunteers of this State enlisted in the service of the United States approved October 24, 1864, AT THE LOWEST RATES not exceeding par value, as may redeem the greatest number of bonds. Bids to include interest to date of surrender, and to be addressed to E N COOKE State Treasurer
jan27d1d Salem Oregon

REDEMPTION OF
STATE BOUNTY BONDS.
Amount Applicable for Redemption
$15,000.
Office State Treasurer Salem January 21 1870
SEALED PROPOSALS WILL BE RECEIVED BY the undersigned at his office in Salem until March [illegible] for the surrender of Bounty Bonds issued under the provisions of an Act of the Legislative Assembly of the State of Oregon granting bounty to volunteers of this State enlisted in the service of the United States approved October 24, 1864 AT THE LOWEST RATES not exceeding par value as may redeem the greatest number of Bonds. Bids to include interest to date of surrender and to be addressed to E N COOKE State Treasurer
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ANY ONE HAVING CLAIMS AGAINST THE United States will find it to their advantage to send a statement of them to
J T DREW.
Commissioner [illegible] Court of Claims &c [illegible] Washington D C jan3d

ROPE OF ALL SIZES, for sale by H W CORBETT & CO

RTANT DECISION IN THE U. S. CIRCUIT COURT.

CONSTITUTES COLOR OF TITLE TO REAL PROP Y—HOLDING ADVERSELY IN GOOD FAITH TO PRESUMED—PERMANENT IMPROVEMENTS, AT CONSTITUTES—TAXES PAID BY OCCUPANT, BE DEDUCTED FROM GROSS RENTS IN ACTION MESNE PROFITS.

Circuit Court—District of Oregon—February 8, 1870.

min Stark vs. Lewis M. Starr—Action to recover possession of real property.

December, 1868, the plaintiff, Stark, commenced separate actions against six persons, then in possession of different portions of the premises in controversy. On May 3, 1869, the defendants in these several actions answered, disclaiming any interest in the property, and alleging that they were in possession simply as the tenants of the defendant Starr. On the same day Starr appeared and was made defendant in place of the tenants (Or. Code, 226). Thereupon, in pursuance of the stipulation of the parties, an order was made consolidating the actions and allowing the parties to plead anew, and proceed as if the action had been originally commenced against Starr for the whole premises.

The complaint in the consolidated action alleges that the plaintiff is a citizen of Connecticut, and the defendant a citizen of Oregon, and that the premises in controversy exceed in value the sum of five hundred dollars, that the plaintiff is and for more than six years has been the owner and entitled to the immediate possession of lots one and two and the north half of lot four in block twenty-one in the city of Portland; and that the defendant wrongfully withholds from the plaintiff the possession of said premises and has so withheld such possession for the period of six years, to his damage $30,000.

On May 11, the defendant answered the complaint whereby he denied each material allegation thereof, except those in relation to the citizenship of the parties and the value of the premises; and also alleged that he had an "equitable title" to the premises, and was entitled to the possession thereof. On June 14, on motion of plaintiff the last mentioned allegation was stricken from the answer as "immaterial and frivolous," for the reason that an equitable title or interest in land is no defense to an action for possession by the holder of the legal title.

On August 4, and days following, in pursuance of the stipulation of the parties, the cause was tried by the Court without the intervention of a jury. On the trial the plaintiff gave in evidence a patent from the United States to himself, dated December 8, 1860, for a certain tract of land in the city of Portland, including the premises in controversy. The defendant offered evidence to show that the premises were a part of a tract of land called the town of Portland, which had been laid off in lots and blocks since 1850, and upon which trade and commerce had been carried on more or less ever since. This evidence was offered to show title to the premises in the defendant as an occupant thereof under the act of Congress of May 1844, commonly called the "town-site act." Being objected to, it was excluded, because the "town-site act" was not in force in Oregon prior to its extension here by the act of July 17, 1854. And as it appeared from the patent to the plaintiff that he was a "settler" upon the land under the act of Congress of Sept. 27, 1850, commonly called the donation act, prior to the passage of the act of July 17, 1854, his right under the first act could not be divested by the second one. (1 Or. 390; 6 *Wallace* 402.)

Again, this evidence was not admissable because no such defence or right was pleaded by the defendant. The Code does not allow a defendant in ejectment, to defeat the plaintiff by giving "in evidence any estate in himself or another in the property, * * unless the same be pleaded in his answer." (*Or. Code* 226.)

Except this, the defendant offered no evidence to show title in himself or to impeach or deny that of the plaintiff. The legal title, therefore being in the plaintiff, he has a personal right to the possession and must have judgment accordingly. Indeed this conclusion was practically admitted on the trial by the counsel for the defendant.

The defendant then offered evidence to show that he had improved the property for the purpose of setting off the present value of such improvements against the claim of the plaintiff for damages for withholding the possession of the same.

The Code provides that in ejectment, the plaintiff may, in the same action, recover damages for withholding the possession for the term of six years prior to the commencement of the action and to the time of giving a verdict therein, exclusive of the use of permanent improvements made by defendant, and also, that:—

"When permanent improvements have been made upon the property by the defendant, or those under whom he claims, *holding under color of title adversely to the claim of the plaintiff, in good faith*, the value thereof at the time of trial shall be allowed as a set-off against such damages." (*Or. Code*, 226-7.)

Objection was made to the evidence concerning improvements because the supposed set off was not pleaded in the answer. The objection was sustained, but the defendant had leave to then file an amended answer, in which it is alleged, that he and those under whom he claims have been and now are holding under color of title adversely to the plaintiff in good faith, and that while so holding they made permanent improvements upon the premises, of the present value of $,312, which sum or so much thereof as may be necessary the defendant will set off against the damages to which the plaintiff may be entitled for the use and occupation of the premises. To this amended answer the plaintiff filed a replication denying specifically each allegation thereof, except the one in relation to the present value of the improvements, and as to this, it alleged that the value of the improvements upon lots one and two, was not more than $3,080, and that there were no permanent improvements of any present value on the north half of lot four.

The evidence offered by the defendant was then heard and received, and the case argued and submitted.

In the consideration of the case the following questions arise:

1. What damages is the plaintiff entitled to for the wrongful withholding of the premises by the defendant.

2. Did the defendant or those under whom he claims make permanent improvements upon the property, while holding under color of title adversely to the claim of the plaintiff, in good faith; and

3. If so, what is the present value of such improvements.

The measure of damages for withholding the possession of the premises is the value of the use and occupation of the same, exclusive of the use of permanent improvements made by defendant. There is no direct testimony as to whether or not all the improvements upon the premises were made by the defendant or those under whom he claims, but such is the reasonable inference. The possession of the defendant and his vendors extends back to 1850, except as to lot one, and that is shown to have commenced not later than 1857. It is also quite probable from the testimony that all the improvements which the defendant seeks to set off against the plaintiff's claim for damages were made by the defendant while sole occupant of the premises or by him and his brother A. M. Starr while occupying them or some portion of them as tenants in common. Indeed, I did not understand that the contrary was asserted or claimed on the trial by counsel for the plaintiff. For the purpose of this enquiry, I think that these improvements, whether made by the defendant as sole occupant or by him and his co-tenant, ought to be considered as made by the defendant.

There is no material conflict or difference in the testimony as to the probable value of the use and occupation of the lots during the six years prior to the commencement of the action and since.

Upon this point, Mr. W. S. Ladd, called by the plaintiff, testified that from $22 to $25 per month was a reasonable ground rent for each lot of 50 by 100 feet. The defendant, being called as a witness, for himself, testified that that such rent was from $20 to $30. The mean between these is $25½ omitting the fraction, this gives for the 2½ lots, the sum of $750 per annum, and $4,500 for the six years. Add to this the thirteen months which have elapsed since the commencement of the action—December 21, 1868, and we have the sum of $5,312½.

Has the defendant shown himself entitled to a set off for improvements, as set up in his answer? The first enquiry upon this point is, was the defendant holding under color of title when he made these improvements? Color of title is not title but only the appearance of title. "Any instrument having a grantor and grantee and containing a description of the lands intended to be conveyed, and apt words for their conveyance, gives color of title to the lands described." (3 *Wash. R. P.* 139, 11 *How*, 414.) It matters not whether the grantor had any pretense of title or not, if from the face of the deed compared with the law regulating the subject, he *might* have had title, the formal conveyance gives color of title to possession taken under it.

Judged by this rule, the possession of the premises has been held under color of title by the defendant and his vendors since the fall of 1850, except lot one, and that has been so held at least since 1857. The facts in regard to the conveyances of the premises appear from the evidence to be as follows:

1. *Lot one.*

July 24, 1852, deed from sheriff of county to Barnhart, and made in pursuance of sale on execution to enforce judgment of *Norton vs. Winter and Latimer*; but with this deed the defendant fails to connect himself.

September 22, 1857, deed from Eastman to Hutchins and Hale.

May 19, 1858, deed from Hutchins and Hale to A. M. and L. M. Starr, the defendant for the N. ½

May 20, 1858, deed from Hale to Hutchins for the S. ½.

July 15, 1859, deed from Hutchins to A. M. Starr and Ankeny for the S. ½

July 25, 1860, deed from Ankeny to L. M. Starr for interest in S. ½

September 18, 1865, deed from A. M. Starr to L. M. Starr for interest in whole lot.

From this statement it appears that the defendant and those under whom he claims have had color of title to lot one since September 22, 1857, and that the defendant as the co-tenant of his brother, A. M. Starr, has had color of title to the N. ½ of said lot since May 19, 1858, and to the S. ½ since July 26, 1860, and to the whole lot as sole tenant since September 18, 1865.

2. *Lot two.*

October 3, 1850, deed from Chapman to defendant for the S. ½

October 9, 1850, deed from Butler to McCay for the N. ½.

September 16, 1851, deed from Marye to McCay for the N. ½.

September 22, 1851, deed from McCay to A. M. Starr for the N. ½.

January, 4, 1864, deed from defendant to A. M. Starr for undivided half of S. ½

January 4, 1864, deed from A. M. Starr to defendant for undivided half of N. ½.

September 18, 1865, deed from A. M. Starr to defendant for his interest in whole lot.

This statement shows that the defendant has had color of title to the S. ½ of lot two since October 3, 1850, and that he and those under whom he claims have had color of title to the N. ½ since October 9, 1850, and that as the co-tenant of A. M. Starr, he had color of title to the whole lot from January 4, 1864 to September 18, 1865, and has had such color as sole tenant since the last mentioned date.

3. *Lot four*,

November 11, 1850, deed from Chapman to Powell.

August 12, 1856, deed from Powell to A. M. Starr and defendant.

September 18, 1865, deed from A. M. Starr to defendant for the N. ½.

From this it appears that the defendant and those under whom he claims have had color of title to the N. ½ of lot four since November 11, 1850, and that the defendant as co-tenant with A. M. Starr has had a color of title to said N. ½ since August 12, 1856, and as sole tenant since September 18, 1865.

As to the possession alleged to be held under this color of title, there is no direct proof except as to that of the defendant and A. M. Starr. As to their vendors it might be inferred that they had the actual occupation of the premises described in their several deeds, and certainly nothing appears to the contrary. But as all the supposed improvements have been made since the premises are alleged to have been in the possession of the defendant and A. M. Starr, the enquiry as to the possession or good faith of their vendors or predecessors is not material.

The evidence satisfies my mind that the defendant has been in the possession of the premises, except the N. ½ of lot 2, either as tenant in common with A. M. Starr or as sole tenant, since July 25, 1860, and as tenant in common of N. ½ of lot 2 with A. M. Starr since January 1864, and that the latter had been in possession of the same prior to that time as far back as 1851.

The possession of the Starrs was taken in pursuance of their deeds. They did not enter under the plaintiff or hold under him. It was open and visible and actually with the knowledge of the plaintiff. They were aware of his patent, and also of his claim to be a settler upon a tract of land including the premises, under the donation act, but their deeds and possession were prior in point of time to the patent. After the issuance of the patent and probably before, they knew that the plaintiff had the legal title to a tract of land, including the premises, but believed that he was bound to convey such title to them and would be estopped to assert it against them; and the evidence tends to show that about the date of the patent the plaintiff declared to them that he would convey them such legal title for a mere nominal consideration, but whether as a matter of favor or legal obligation does not appear. It also appears that since 1862 the Starrs expended some $5,000 or $6,000 in improvements upon the property and were in the regular receipt of the rents and profits of the same; and that about 1864 they brought a suit against the plaintiff [illegible] their title in which they failed to obtain [illegible]. That in 1864 the plaintiff said to the defendant that Chapman never paid him for the property, but that if he, Chapman, would pay him, he, the plaintiff, would make the defendant a deed.

For some reason, neither party has seen proper to show how property, apparently within the donation claim of the plaintiff, should have been sold and conveyed, as far back as 1850, by persons having no apparent relation with the plaintiff or connection with the legal title.

The circumstances referred to in the remarks of the plaintiff to the defendant in 1864, indicate that at sometime Chapman and himself had come to an understanding or agreement, by which the plaintiff was to make a deed to this property in favor of the defendant or those under whom he claimed, and that the plaintiff excused his failure to perform on the ground that Chapman had not paid him for the property. It also indicates that lots one and the N. ½ of two were orignally sold by Chapman, as well as lots four and the S ½ of two.

These are all the material circumstances proven in the case, which bear upon the character of the defendant's possession, and they are all drawn from the testimony of the defendant himself, and A. M. Starr. Was this a "holding under color of title adversely to the claim of the plaintiff," or in other words, was the possession of the Starrs adverse to the title or right of the plaintiff?

What constitutes adverse possession has been one of the vexed questions of the law. In some cases the practical effect of the ruling of the courts has been to require actual proof that the possession of the occupant was adverse, even when nothing appeared to the contrary, or to presume that his possession was in subservience to the legal owner because the contrary did not affirmatively appear.

But the just and reasonable rule seems to be, that every possession is presumed to be rightful and therefore adverse to the title of any other claimant. This presumption may be overcome by the proof of facts inconsistent with it, as by showing that the occupant received a lease; paid rent; or acknowledged the superiority of the title set up.

In *Parker vs. Proprietors, etc.*, (3 *Mel.* 99) the court say: "If a person enters on land, having no right or title, and maintains the exclusive possession, taking the rents and profits, his possession would be considered adverse, and, if of sufficient notoriety, would amount to a disseizen." Here the unexplained fact of possession and receipt of rents and profits is held to constitute an adverse possession; and for the simple reason it must be that the law presumes every possession rightful until the contrary appears or is shown.

In *La Frombois vs Jackson* (8 *Cow.* 618) *Senator Viele* says: "Every possession, then, is adverse, and entitled to the peaceful and benignant operation and protecting safeguard of the statute, which is not in subservience to the title of another, either by a direct acknowledgment of some kind, or an open or tacit disavowal of right on the part of the occupant; and it is in the latter case only, that the law adjudges the possession of one to the benefit of another."

In *Smith vs Lorillard* (10 *John.* 356) *Kent Ch. J.*, says: "possession is always presumption of right, and it stands good until other and stronger evidence destroys that presumption."

Tried by this rule the possession of the defendant and A. M. Starr must be considered adverse to the title of the plaintiff. They were in the actual and exclusive possession and receipt of the rents and profits. They did not enter under the plaintiff, but so far as appears without any recognition of his title.

But it is also true, that in the course of their possession, the Starrs acknowledged the legal title to be in the plaintiff—the final confirmation of his right as a settler under the donation act, by the issuance of a patent to him by the United States. But this acknowledgment was always coupled with the opinion and assertion upon their part, that the plaintiff had no beneficial interest in the property and, in some way, was bound in equity and good conscience to convey such title to them.

Upon this aspect of the case, the learned counsel for the plaintiff insist, that since 1860, and prior to the making of any of the supposed improvements, the possession of the Starrs must be considered as being held in subservience to the title of the plaintiff, because during this time they acknowledged it and claimed to be entitled to it, and therefore their possession could not be adverse to it. In support of this argument counsel cited the well known rule that the possession of the vendee under the contract of purchase is not deemed adverse to the title of the vendor.

But admitting for the sake of the argument, the proper conclusion from the facts in the case to be, that the relation of vendor and vendee existed between the plaintiff and the Starrs—that the latter entered under a mere purchase of the possession, acknowledging the title of the former as paramount, but claiming for any reason to be entitled to have such title conveyed to themselves, it would not follow that their possession was not adverse.

After performance by the vendee of the conditions of sale, as the payment of the purchase money, and when in equity he would be entitled to have a conveyance of the title, his possession may become adverse to the title of the vendor, and in the absence of any proof to the contrary should be presumed to be so. (8 *Cow.* 597.)

In *Brogan vs. Posser* (14 *Wend.* 228,) *Nelson J.* It is stated, "There can be no doubt that a person entering upon land under a contract of purchase, unperformed on his part does not hold possession adversely to the vendor. *After performance* and an equitable title to a deed of the premises acquired, I perceive no reason why his possession may not become adverse, or in other words, there is nothing in the character of it inconsistent with the idea of an adverse possession. Whether it were in fact adverse or not, would depend upon the circumstances of each particular case."

This leads to the consideration of the point as to whether the Starrs were acting in good faith or not. To entitle the occupant to set off the value of his supposed improvements against the plaintiff's claim for mesne profits, (damages) they must have been made while the occupant was "holding under color of title adversely to the claim of the plaintiff," and "*in good faith*." To enable the defendant to claim the benefit of the law giving the set off, the three things must concur. He must have held possession under color of title—his possession must have been adverse to the title of the plaintiff and he must have acted in good faith.

Good faith in relation to the color of title must mean nothing more or less than that the party honestly believed his title good, although upon investigation it proves otherwise. Of course in determining whether a party did so believe or not, weight must be given to the particular circumstances of the case. For although the occupant hold under color of title, yet, if at the same time he knows or has *good reason to believe* that his title is merely colorable and confers no right as against the legal owner, he is not acting in good faith. If under such circumstances he makes improvements, he does so at his peril, and cannot compel the true owner to allow him for them. If, then, the occupant honestly believes his title valid, however defective or unreal it may prove to be, he is holding in good faith. The good faith required by the code is faith—belief—in the title or color of title under which the occupant holds and improves.

Upon whom is the burden of proof in this matter? Good faith is the opposite of bad faith, and bad faith and fraud are synonymous. Fraud is never presumed, except when the law peremptorily so declares, but must be proven. It would seem therefore that the occupant in this particular as in general is presumed to have acted in good faith until the contrary appears.

No evidence has been produced by the plaintiff to show that the Starrs were acting in bad faith. Nothing in the circumstances of the case tends to support that conclusion. On the contrary, the very fact that they expended several thousand dollars in making improvements on the land is evidence of their good faith—a faith which manifested itself by its works. My conclusion upon this branch of the case is, that the Starrs were "holding under color of title adversely to the claim of plaintiff, in good faith."

Next, while so holding did they or either of them make permanent improvements upon the premises? At common law when the owner of an estate who had been disseized sought to recover damages for the loss of the profits during the ouster against the wrongful occupant thereof, the latter might *recoup* such damages to the extent of the value of permanently *useful* improvements put upon the land by himself. And this was so, whether the remedy pursued was assize of novel dessesin, trespass with *continuando* brought after entry or after recovery in ejectment (1 *Cranch C. C.* 465, 8 *Whea.* 81-2). In *Jackson vs. Loomis* (4 *Cow.* 172) it was held in action of trespass for mesne profits, that a *bona fide* occupant should be allowed the value of his improvements made in good faith to the extent of the rents and profits claimed. (*See also* 1 *Story* 494).

The provision in the Code concerning permanent improvements is a substantial affirmance of this common law rule, restricted in all cases to the case of a bona fide possessor holding under color of title. Interpreting the phrase "permanent improvements" by the common law, it must be construed to mean something done to or put upon the land which the occupant cannot remove or carry away with him, either because it has become physically impossible to separate it from the land or because in contemplation of law it has been annexed to the soil and is therefore to be considered a fixture—a part of the inheritance. Such an improvement, if it exist at the time of trial is a permanent one. The term is a relative one and does not import any particular length of time. The degree of permanency or probable duration of the improvement is only material in estimating its value. Whatever the occupant may remove when ejected from the premises, is not a permanent improvement, and therefore there is no reason that he should be allowed for it out of the claim for rents and profits.

But the thing done to or upon the land must also as the word imports be an *improvement* to it—it must meliorate—better the condition of the property. It must make it more valuable in the future for the ordinary purposes for which such property is owned and used. Therefore a structure or labor may be as permanent in every sense of the word as the pyramid of Cheops and yet add nothing to the usefulness or value of the land for ordinary purposes. It does not make the land more beneficial to the true owner and is not an improvement. (1 *Story* 495.)

With this understanding of the phrase "permanent improvements" let us see what is the character and value of the alleged improvements in this case.

Burton and Goodenough, two master mechanics, called by the plaintiff testified that they had examined the property during the trial. Their testimony substantially agrees, and is to the effect,—that there are on lots one and two three new wooden buildings, and an old shop connected with a marble yard, and on N. ½ of lot four there is an old wooden house, and that the present value of the new buildings is $360 apiece, of the shop $100 and the old wooden house $400. That there is a stone wall built across lots one and two on the east end, fronting on the Wallamet river, which would now cost $3,025, and that in their judgment the buildings are not permanent improvements, but the wall is. The defendant testified that either he or A. M. Starr and he caused the wall and buildings to be put upon the premises—the former in 1863 and the latter since. He also testified that the three new buildings were worth $1,200 and that the buildings on N ½ of lot four were worth $1,800 or $2,000. On cross examination stated he could not say that the three buildings were worth $1,200 now. The defendant also testified that the stone wall was built as a part foundation of a house and to protect the bank from the river, but that he had abandoned the building of the house on account of the litigation concerning the premises with the plaintiff in 1864 5, and that in 1865 he had paid the municipal authorities of Portland the sum of $1,200 or $1,530, which was assessed upon said premises, for the purpose of paving and improving the street in front of them. It appears from the testimony of Mr. W. S. Ladd that these buildings, situated as they are, will rent for an average of $20 apiece per month exclusive of ground rent or the value of the land.

This is the substance of the testimony concerning the nature and value of the supposed improvements. The burden of proof is upon the defendants to show that they are beneficial to the property and to what extent.

This testimony shows beyond a doubt that the buildings—all five of them—are "permanent improvements" within the legal sense of that phrase. The *opinion* of the witnesses as to their *permanency* cannot control the judgment of the court upon the facts. As Mr. Burton said himself on cross examination, "they are permanent as long as they stay there." They are permanent because they are fixtures—things annexed to the soil—and the defendant has no right to take them away if he would. Upon this point the plaintiff's witnesses evidently testified under a misapprehension of the meaning of the term "permanent." If they were not permanent in some degree, they would have no value, and yet both these witnesses give them a present value of between $1,400 and $1,800. They also improve the property. They will rent for a certain sum per month and they enhance the present value of the property by that amount. Town lots are ordinarily used for building houses upon to rent. These buildings are improvement of that character. Their actual value depends upon how long they will endure and be fit for use.

Upon this point the testimony is not agreed. The testimony of the defendant puts the value of the buildings at not less than $3,000, that of Burton at $1,400; that of Goodenough at $1,550, while Mr. Ladd gives a present rental value of $1,200 per annum. While it is apparent that these buildings enhance the present value of the property, it is difficult in the nature of things, and particularly upon this testimony, to say precisely, by how much.

This depends upon the probable durability of the buildings, the cost of keeping them up and the probable future demand for such houses—in other words what is likely to be the annual nett gain to the owner of the property from their future rental and for how long. The future rental of cheap, small wooden buildings is not capable of a very definite estimate. Under these circumstances and state of the proof, I have found the present value of the buildings to be $2,000.

The foundation wall is a *permanent* structure beyond a question, but I cannot satisfy my mind from the testimony, that it is of any benefit to the owner of property, or enhances *present* value in any degree. If a house were built upon it, the result might be beneficial to the property, but to require the owner to build the house to make the wall available, would be in effect controlling him in the future use and enjoyment of his property for the benefit of the occupant. Practically the house would be the improvement and not the wall alone. But it may be said that the wall alone is a present benefit to the property as a means of protecting the bank from the wash of the river, and I do not overlook that the defendant testified that it was partly built for that purpose. Yet, judging from the *indefinite and hesitating* manner in which the defendant made that statement, and his definite and positive testimony that the wall was intended as the foundation for a house, which was not built on account of his litigation with the plaintiff, and the further fact, that the defendant has failed to produce any evidence to show that a wall is any degree or manner necessary to protect the bank from the action of the river, I conclude that it is not. The burden of proof is upon the defendant to show the value or benefit of this wall to the property, and if it was in fact useful as a protection against the water, it was very easy to have shown it by the testimony of persons conversant with the subject.

The amount paid the City of Portland by the occupant as an assessment for the improvement of the street adjoining the premises, is objected to as a set off by the plaintiff as not being an improvement "made *upon* the property."

This may be called the technical distinction, but never the less, it is a substantial one. The assessment upon the property for the purpose of improving the street was a tax upon it—nothing more or less. The payment of taxes upon property is not an improvement made *upon it*, however much such payment may indirectly enhance its value. This item of the alleged set off is not within either the letter or reason of the provision of the Code concerning "permanent improvements."

But it is a proper deduction to be made from the gross rents of the property in estimating the actual damage which the plaintiff has sustained by the defendant's wrongful withholding of the possession. The expenditure was not made voluntarily by the defendant but in obedience to the law and for the benefit of the property, and consequently its owner. It is the duty of a party in possession of property, claiming title or interest therein, to pay all lawful taxes and charges imposed thereon by public authority. If he neglect to do this, and purchase the property at a sale for these taxes, he acquires no right thereby, because his conduct is deemed fraudulent as against the true owner. As it turns out, these taxes were paid by the defendant for the benefit of the plaintiff. If the former had not paid them the latter must, or allowed the property to have been sold as delinquent. Therefore in estimating the damages to which the plaintiff is entitled for being kept out of possession, the amount of the assessment must be deducted from the gross rents, and the remainder is the true profits or damages, (1 *Story*, 478)

On the contrary, if the payment of a tax by an occupant without title could only be allowed him against a claim for mesne profits, by way of set off, as for a permanent improvement, it would often happen that it could not be allowed at all. For instance, if the pavement put upon the street by this assessment were now worn out or if from serious defects in plan, materials or workmanship it had proved worthless, it would not be of any *present* value to the property and could not be the subject of a set off. But as the tax was paid and expended in obedience to public authority, the occupant is not responsible for such consequences or results, and therefore his right to be reimbursed ought not to depend upon them.

In conclusion the plaintiff is entitled to a judgment for the recovery of the possession of the premises.

As has been shown, the use and occupation of the premises, exclusive of defendant's improvements, was worth $5,312 50. Deduct from this the amount—$1,350—of the tax paid for street improvements, and the remainder—$3,962 50—is the mesne profits, or damages, to which the plaintiff is entitled. Against this amount set off the present value—$2,000—of the permanent improvements, and the remainder—$1,962 50—is the sum which the plaintiff is entitled to recover off the defendant, together with costs and expenses.

DEADY J.

STRONG and STOUT for Plaintiff.

LOGAN and CHAPMAN for Defendant.

FINANCE AND COMMERCE.

PORTLAND, Feb. 8, 1870.

Latest New York gold quotations 120¾.

Legal Tender rates in San Francisco 82¾ buying and 83¼ selling

Portland Legal Tender rates 82¾ buying and 83¼ selling.

Our markets to-day present but little subject matter for a review. A general dullness has been observable, and transactions limited to a very small number. The complaint of dull times manifests itself at this season, especially among our dry-goods dealers, who, to judge from appearances, are doing but little. Grocers, perhaps, are doing a little better. Commission houses likely feel the quiet state of the market less than others, but their sales are not large. Produce buyers are more active, and though their profits are small, the aggregate of their business being large they are likely to do average well. There has been much speculation in regard to the probable future of the grain and flour market, and during a few days past buyers have not been anxious to purchase and the receipts are mostly limited to lots bought by agents up the valley. At this time we see no reliable indications of an advance. From all quarters intelligence comes of favorable prospects for the crop of 1870. It is estimated that not more than one-half of the surplus grain of Oregon has yet been moved, and the query is as to whether a market can be found for the remainder at a figure paying at all. The Eastern and European markets have not been so dull nor prices so low for years. The markets west of us, China and Japan, and those of South America, must then be looked to for a market for the surplus grain of the Pacific Coast. The trade, with the vast millions of these countries, is yet in its infancy, and he who develops it will entitle himself to be called the pioneer of the greatest commercial enterprise of the age.

Wholesale and Jobbing Prices.

PORTLAND, Feb. 9, 1870.

ALCOHOL—Eastern, $3 00; California, $2 50.

BACON—Sides, 16c, in ms 14@16c; Cross' sugar cured do. 25c; Smith, Bussfield & Co's 20; Johnson's, 20, Shoulders, 7@8c.

BUTTER—Oregon solid, 18@22 ℔ lb, brine, 20@25; fresh rolls, 22@25c; Isthmus, 35@37½.

BUILDING MATERIALS—New Jersey Cement, ℔ bbl., $5 00; Knapp's, $4 50@$5 00; Santa Cruz Lime, ℔ bbl., $2 75; San Juan do., $2 75; Calcine Plaster, $5 00; Land, $4.

BEANS—White Pea 4 cts.; Red, 4 cts.; Pink, 4 cts.; Small White, 3½; Bayou, 4½; Butter, 4½c.

BROOMS.—Oregon make, No. 1 $6 25 ℔ doz.; No. 2, $5 25 ℔ doz.; No. 3, $4 25 ℔ doz.; California make, No. 1, $5 50@6; No. 2, $4 50@5; No. 3, $3 60@4.

CANDLES—Grants, 19@19½; Emery's, 18; Kelly's, 14; Star, 19c; Ward's, 19c; Harkness', 20; Macy's, 19; Schmidt's 18c; Gross', 18½.

COFFEE—Rio, 20½@21½; Costa Rica, 21@21½; Java, 25@27, Jones' Prepared Java, 40; Chartres, 30; Kona, 19.

DRIED FRUIT—Oregon Apples, in bulk 4½, in kegs 6½ cts.; California peaches new 13 cts.

FLOUR—Imperial, $5 00 ℔ bbl; Standard, $5 00 ℔ bbl; Vaughn's, $5 00; Magnolia, $5; Salem Mills, $5 00; Albany Steam Mills, $5 00; Commercial, $5; Dayton, extra $5 00; do superfine, $4 00@4 50; Oregon Mills, $5 00. Good Country brands, $4@4 50; Champoeg Mills, $5 00; Mission Mills, $5; Brooklyn Mills, $5 00, Star Mills, $5 00, McLeran's, $5 00.

GRAPES—California, $2@2 50 ℔ box.

HARDWARE—Iron Axles, 9½@10½; Carriage Springs, 22@23; Axe Handles, $4 00@4 75, Pick do., $4 00@ $4 50; Sledge do., $3 00@4 00; Bar Lead, 12½c, Sand Paper, $6; Pat Cross-cut Saws, ℔ ft, 85@90 cts; Mill do., ℔ ft $1 50@2 50; Anvils, Armitage, 15; Sledges, cast steel, 16; bellows, 50@60 ℔ inch; New house traps, $4 50@ $24 00; Grindstones, 4½; Cable Chain, 9 to 11, Thimble Skeins, $8 50@12 00, Scale Beams, 87½ ℔ C., Union scales, Fairbanks', $14 00, Grocers' do. do., $12 50.

HORSE NAILS—Dobbins (hand made), 45@50; Putnams (pressed), 37½@40; Griffin (pressed), 35@40.

LARD—Oregon, in 10 ℔ cans 12@13½, in bulk 10@11c

MISCELLANEOUS—Raisins, new fresh layers in boxes, $5 00; ½ boxes $5 75; ¼ boxes $6 00, Currants, ℔ lb, 17@18; Yeast Powders, P. & M. $24 ℔ gross, Donnelly's, do. $26; Taylor & Young's, do, $25; Saleratus, Burton's 9½; ℔ lb.; Babbitt's 11c, Oysters, Fields', $3 50; McMurray's, $3 75, Myers', $3 75; Mackerel hf bbls $17 00@17, Kits No. 1, 4 75 California cheese, 20@23

IRON.—Round Bar, ¾ to 2 inch, 5c; Small Bar, 6½@ 10; Norway Shoe Shape, 8; Amr tram do. 7½, Nail Rod, 11

NAILS—Best brands $5 25 ℔ keg; Fine Finishing and brads, $8 50; Lath 3d fine $10 50; Boat Spikes, $8 50

OILS—Kerosene Oil, Downer's $o ℔ gal; Devoe's, 65, Pratt's, 65, other brands, 60; Lard Oil, $2@2 20 ℔ gal, Winter Strained, $2; China Nut Oil, $1 25, Polar Oil 80c, Paraffine Oil, Hayward & Coleman's, $1 25, Tanner's Oil 85c, Neatsfoot Oil, $2 10; Sperm Oil, $2 50, Castor Oil, $2 75, Linseed Oil, boiled $1 50; raw, $1 40.

POWDER—Dupont's, Rifle, 1 ℔ cans, 65 for ½ lb. cans; Rifle, in 25 ℔ kegs, $8 00; Sporting, in 5 ℔ cans, $5 50 each, Eagle Duck, 1, 2 and 3, per keg, $1 50; Hazard's Kentucky rifle, fine for 1 ℔ cans, [illegible]; Cal. [illegible]; Blasting, ℔ keg of 25 lbs, $4 75. Double tape fuse per M ft. $10 50, single tape fuse, per M ft, $15 [illegible]

ROPE—Per lb. 19@20c Hem

SALT—Liverpool [illegible], $40@47 50, do. coarse, $42 50; Carmen Island $35; Ground Rock, $21 00, Dairy, $37 50, San Quentin, $32 50

SALMON—Half bbl., $6 50, bbls., $10.

SUGARS—Sand Island, 9@11½c, San Francisco Yellow C, 12½@12¾; Golden C, in bbls, [illegible]; Powdered, 16½, Crushed, in bbls, 11½@11¾, in half bbls 11½@15.

SOAP—Oregon brands, 7@7½, in, Colgate, 11½, Castile, 15c, Cal. brands, 7½@8½c.

SYRUPS—Heavy Golden in bbls, 70@80c ℔ gall, 5 gall kegs, 80@90 ℔ gallon, San Francisco and Pacific in kegs 87½c, in hf bbls 85, in bbls 80. Bay Refinery, 90c ℔ gal. California Refinery, extra, 87½@90c ℔ gallon; Hawaiian, 5 gal kegs, 45c.

Weekly Retail Family Market.

PORTLAND, Feb. 9, 1870.

DOMESTIC & FOREIGN FRUITS.		Bacon, breakfast & rib	18@20
Oranges ℔ doz	75@1 00	Clear side	14@16
Lemons per doz	1 00	Shoulders, country cut	9
Green		" Butcher's and packer's	10
Apples	75@1 [illegible]	" Butcher's and packer's sug'r cured	12½
Pears, per box	1 50@2 00	Cheese—Cal ℔ lb	25@30
Dried		Cheese, Oregon	20
Pears ℔ lb	[illegible]	Eggs fresh ℔ doz	[illegible]
Apples, ℔ lb	7@10	Honey ℔ lb	[illegible]
Peaches ℔ lb	12½	Lard, choice, ℔ lb	15
Plums, pitless	20@25	[illegible]	[illegible]
" with pits	12½	Butter—	
Figs, Cal ℔ lb	20@25	Choice fresh roll	[illegible]
" Smyrna	35	Good	[illegible]
Prunes, in bulk	25	Ordinary	27
" in jars	35	Common, ℔ lb	20
GROCERIES.		Flour—℔ ¼ sack	
Coffee		Imperial	1 [illegible]
Green C. R. ℔ lb	22	Standard	1 [illegible]
" Java "	25@30	Vaughn's	1 [illegible]
Jones' prepared, Retail		McLeran's	1 25
Java	40	Salem, XXX	1 [illegible]
Chartres	25	City Mills	1 [illegible]
Rio	30	Other brands 1@1 12½	
Sugar—Crushed	18	POULTRY, GAME, ETC.	
Pulverized	18	Turkeys each	$1 25@2 50
Golden C	14	Chickens, doz	4 50@6 00
Granulated	16	" spring	$3 50@4 00
Yel C S F Ref.	13½	Puget Sound Cod	12@15
Islands	12½@13½	Salt Salmon ℔ lb	8@10
Syrups in kegs ℔ gal	90@1 00	VEGETABLES.	
" per gal	1 00	Beets ℔ lb	2½
Tea—Y'ng Hyson	$1 50	Carrots ℔ lb	2
Imperial,	$1 50	Onions ℔ lb	3@4
Old "	$1 00@1 25	Turnips ℔ lb	2
Gun Powder	$1 75	Potatoes ℔ bushel	50@75
Japan	90@1 25	Cabbage, ℔ doz	50@1 00
Black	62@1 25	Sweet potatoes, ℔ lb	6
PROVISIONS		Parsnips ℔ lb	2
Hams, country cut,	17	Celery, ℔ doz	1 00@1 50
" Butcher's "	20		
" butcher's and Packers (Sug'r Cured)	20@22		
Smith, Bussfield & Co 21@22			
Cross'	25		

Domestic Produce Market.

PORTLAND, Feb. 9, 1870.

Apples, green, ℔ box	2 [illegible]
Apples, dried ℔ lb	4@5
Wheat, new white, ℔ bushel	70@
" Red, ℔ bushel	60@65
Oats ℔ bushel	40
Corn meal W. W. ℔ 100 lbs.	4 [illegible]
Country, ℔ 100 lbs	3 75
Ground Feed ℔ ton	22 50@25 00
Peaches dried, ℔ lb	8½
Bacon ℔ lb	14
Hams	13@14
Shoulders	[illegible]
Lard, in tins	12
Lard, in kegs	10½@11
Eggs ℔ doz	20@25
Butter	18@25
Chickens, young, ℔ doz	3 50@4 00
" grown, ℔ doz	4 00@4 50
Beans ℔ 100 lbs	2 25@4 25
Wool, ℔ lb	18@20
Hay, baled ℔ ton	14@15
Hay, from wagons	12 50
Hides, salted, ℔ lb	6
" dry,	9@11
Furs—Fisher	1 50@4 00
Fox, cross	1 00@2 00
" red	75@1 00
Marten, prime, dark	2 50@4 00
" pale	1 00@4 00
Mink, dark, northern	50@1 00
" pale	50@1 00
Muskrat	10
Otter, prime dark	1 75@3 00
Coon	12½
Wolf, large	75@1 00
Wild Cat	25
Skunk	12½
Fur Seal	1 50@2 50
Beaver, dark, per lb	75@1 00
Bear, black	2 00@4 00
" brown	2 00@2 50
Cat	25

Cotton Goods and Woolen Market.

PORTLAND, Feb. 9, 1870

OREGON WOOLEN GOODS.—*Blankets*, Oregon gray, No. 1, $9 00; No. 2, $6 50; No. 3, do $4 00; do white, No. 1 extra, $12, No. 1, $8 50, do No. 2, $7; No. 2, blue, $7 75, No. 2, green, $7 75; Vicuna, No. 1, $11, No. 2, $8, 8-4 White flannel, $1 10@$1 25; 4-4 White do. 75c; 3-4 White do. 40@45c; Plain assorted colors, flannel 40@45c; Fancy Twilled shirting do, 60@65c; Grey Mixed Shirting 40@45; Hard times, 90c; Grey Doeskin, $1 40; Fancy do, $1 10; Drab Mixed Beaver, 27½; Fancy Cassimeres $1 00@$1 40; Tweeds, 75@95c; Yarns, $1@1 20.

COTTON GOODS.—*Sheetings*—Standard, 12½@14½, seconds, 11½c; light, 10½@12½c, Standard drills, 16; *Shirting*—Bleached undressed 14@22c; bleached ⅞ to ¾, 11@13c. *Denims*—15@21c. Hickory stripes, 15@ 20c. *Prints*—Fancy, 11c; Merrimac, 11c; De laines, 18. *Ticking*—4 or 26@37c; 30-inch, 18@25c Linsey. 24@33c. 10½ bleach, 50 Oakland heavy sheeting, 23c ℔ yard. 80-inch sheeting, 12½@18½c ℔ yard.

Cattle and Live Stock Market.

PORTLAND, Feb. 9, 1870.

CATTLE—Beef cattle, $6 00@7 00 ℔ cwt nett.

SHEEP—Good mutton sheep, $2 00@2 50 ℔ head.

PORK—6c@6½ ℔ lb.

VEALCALVES—Spring, 7@8c ℔ lb.

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Horrible Diseases.

How many thousands of persons, both male and female, are there who are suffering out a miserable existence from the effects of secret indulgences, or from virus absorbed into the system? Look at their pallid, emaciated and disfigured faces and their broken-down constitutions, disqualifying them for the happiness of marriage or the enjoyment of life. In this horrid situation thousands suffer until death closes the scene. Let parents, guardians, friends, attend to those who are suffering with any of these horrible life destroying maladies so that they are cared for and cured before it be too late. Send them immediately to Doctor Gibbon, a physician who has made private diseases his especial study for years, and who is certain to cure the most inveterate cases without mercury or any injurious drugs. It is important to those who are afflicted, or to those who are interested in the welfare of their friends, to be careful of the many pretended doctors who infest all cities, publishing their skill in curing all diseases in a few days, imposing upon the public by using the names of eminent physicians from Europe and other places. Be therefore careful and make strict inquiry, or you may fall into the hands of these charlatans.

Seminal Weakness.

Seminal Emissions, the consequence of self-abuse. This solitary vice, or depraved sexual indulgence, is practised by the youth of both sexes to an almost unlimited extent, producing, with unerring certainty, the following train of morbid symptoms, unless combatted by scientific medical measures, viz. Sallow countenance, dark spots under the eyes, pain in the head, ringing in the ears, noise like the rustling of leaves and rattling of chariots, uneasiness about the loins, weakness of the limbs, confused vision, blunted intellect, loss of confidence, diffidence in approaching strangers, a dislike to form new acquaintances, a disposition to shun society, loss of memory, hectic flushes, pimples and various eruptions about the face, furred tongue, fetid breath, coughs, consumption, night sweats, monomania and frequent insanity. If relief be not obtained, should apply immediately, either in person or by letter, and have a cure effected by his new and scientific mode of treating this disease, which never fails in effecting a quick and radical cure. Dr. G. will give One Hundred Dollars to any person who will prove satisfactorily to him that he was cured of this complaint by either of the San Francisco quacks.

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Or those who contemplate marriage, who are suffering under any of these fearful maladies, should not forget the sacred responsibility resting upon them nor delay obtain immediate relief

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ap10dlf

Proposals for Transportation between Camp San Juan Island and Port Townsend, W. T.

HEAD QUARTERS, DEP'T OF THE COLUMBIA, CHIEF QUARTERMASTER'S OFFICE, PORTLAND, OREGON, Feb. 4, 1870.

BY ORDER OF THE BVT. MAJOR GENERAL commanding, sealed proposals will be received at this office until Wednesday, the 9th day of March, 1870, at 12 M., for the Transportation of the U. S. Mails, Passengers, &c., once a week between Camp San Juan Island and Port Townsend, W. T., for one year from date of Contract.

Bids must be in triplicate and should be as full in detail as possible, stating price per month, &c.

Proposals should be endorsed on the envelope "Proposals for Transportation," and addressed to

R. SAXTON, Bvt. Brig. Gen., and Chief Qr. M., Dep't of the Col.

feb4d61

SHERIFF'S SALE.—By virtue of an execution issued out of the Clerk's Office of the Circuit Court of the State of Oregon for the county of Clatsop, to me directed, in favor of W. G. Johnson, plaintiff, and against John M. Shively, defendant, commanding me out of the property of said defendant to make the sum of [illegible] 86-100 dollars, with interest at the rate of ten per cent per annum from the 15th day of December, [illegible] also the sum of thirteen 55-100 dollars costs and accruing costs, for want of personal property of said defendant I have levied upon the following described real estate situated in the town of Astoria, in said State and County, and known and designated upon John M. Shively's recorded map or plat of said town of Astoria as lots three, four and five in block nineteen, and I shall proceed to sell at public auction, to the highest bidder for cash, on the 26th day of February, 1870, all the right, title, interest, claim and demand of the said John M. Shively in and to said lots or so much thereof as may be necessary to satisfy said execution. Sale to take place at 1 o'clock P. M. of said day in front of the Court House door in said county.

Astoria, Jan. 24, 1870. — WM. CHANCE, Sheriff

jan26d1aw4t

IN THE CIRCUIT COURT of the State of Oregon, for the county of Multnomah, [illegible] Van Rensselaer, Guardian of Rose E. Wardwell, plaintiff, vs. D. B. Fowler, defendant.

To D. B. Fowler, defendant.—In the name of the State of Oregon, you are hereby required to appear and answer the complaint filed against you in the above entitled action, within ten days from the date of the service of this summons upon you, if served in this county; or if served in any other county of this State, then within twenty days from the date of the service of this summons upon you, or if served by publication, by the next term of this Court which shall be held after six weeks from the first publication of this summons; and if you fail so to answer for want thereof, the plaintiff will take judgment against you, for the costs and disbursements of this suit, and will apply to the Court for the relief demanded in the complaint, and for a decree of this Court, that will perfect the title by suitable conveyance to lots one and two (2) in Block nine (9) in Portland, Oregon, and for such other and further relief as may be meet in equity,

MITCHELL, DOLPH & SMITH, Att'ys for Plaintiff.

By order of the Court, W. W. Upton, Judge.

d1aw6w

IN THE DISTRICT COURT OF THE UNITED STATES for the District of Oregon. In Bankruptcy.—This is to give notice that on the 28th day of January, A. D. 1870, a warrant in bankruptcy was issued against the estate of James Kealing, of Brownsville, in the County of Linn, State of Oregon, who has been adjudged a bankrupt on his own petition, that the payment of any debts and the delivery of any property belonging to such bankrupt, to him or for his use, and the transfer of any property by him are forbidden by law, that a meeting of the creditors of said bankrupt, to prove their debts and choose one or more assignees of his estate will be held at a court of bankruptcy to be holden at No. 106 First street, Portland, before W. Lair Hill, Register, on the 8th day of March, A. D. 1870, at 10 o'clock A. M. of that day.

THOMAS G. YOUNG, U. S. Marshal as Messenger.

By JOHN DOLAN, Deputy

IN THE DISTRICT COURT OF THE UNITED STATES for the District of Oregon. In Bankruptcy.—This is to give notice that on the 20th day of December, 1869, a warrant in bankruptcy was issued against the estate of Price Fuller, of Corvallis, in the County of Benton, and State of Oregon, who has been adjudged a bankrupt on his own petition; that the payment of any debts and the delivery of any property belonging to such bankrupt, to him or for his use, and the transfer of any property by him are forbidden by law; that a meeting of the creditors of said bankrupt to prove their debts, and to choose one or more assignees of his estate will be held at a court of bankruptcy to be holden at No. 106 First street, Portland, before W. Lair Hill, Register, on the 26th day of January, A. D. 1870, at 10 o'clock A. M. of that day.

THOMAS G. YOUNG, U. S. Marshal as Messenger.

By JOHN DOLAN, Deputy

AGENTS WANTED.—$10 TO $20 A DAY is being made by agents selling GIANT CEMENT, the strongest and most adhesive compound ever discovered. It is needed by everybody, as it mends all kinds of Furniture, Crockery, Glassware, Meerschaum, etc.; splices Harness and Leather Belts, sticks patches and soles to Boots and Shoes, [illegible] its own testimonial. Also, the Miner's Rubber Cement, for mending rubber boots, shoes, Hose, coats and belting. It dries quickly and is perfectly elastic. Full directions with each Can. [illegible] The genuine Giant Cement and Miner's Rubber Cement are both in tin cans. Take no other. Send for price list to the Giant Cement Mfg. Co., 419 W[illegible] St., opposite the Postoffice, San Francisco. Also by G. W. TRAVER, 131 First St., Portland.

ASSIGNEE'S NOTICE.—There will be a third meeting of the creditors of W. I. Chittenden, bankrupt, at the office of Hon. W. Lair Hill, Register in Bankruptcy, at the city of Portland, at 10 o'clock A. M., on the 21st day of February, A. D. 1870. You will take notice that I have filed my final accounts as assignee of the estate of the said bankrupt in said court, and at said time and place will apply for a settlement of my accounts and for a discharge from all liability as assignee of said estate in accordance with the provisions of the 28th Section of the Bankrupt Act.

D. W. WILLIAMS, Assignee.

feb6d2w

NOTICE OF ASSIGNEE OF HIS APPOINTMENT.—(In Bankruptcy.) District of Oregon, SS.—At the city of Portland, on the 20th day of Jan. A. D. 1870. The undersigned hereby gives notice of his appointment as Assignee of Price Fuller of the county of Benton, and State of Oregon, within said District, who has been adjudged a bankrupt on his own petition by the District Court of said district.

ANDREW HILL

jan31d3w

NOTICE OF ASSIGNEE of his appointment.—In Bankruptcy. District of Oregon, SS.—At the city of Portland, the 22d day of January A. D. 1870. The undersigned hereby gives notice of his appointment as assignee of James Lyons, of Portland, in the county of Multnomah, State of Oregon, within said district, who has been adjudged a bankrupt on creditors' petition by the District Court of said district.

ja27dlaw3t — JOSEPH BACHMAN,

ADMINISTRATRIX NOTICE.—The undersigned has been appointed by the County Court of Multnomah county, State of Oregon, Administratrix of the estate of Frederick Weiser, deceased. All persons having claims against said estate are required to present them with the proper vouchers to the undersigned at her residence [illegible] Portland, Oregon, within six months from this date. Persons owing said estate will make prompt payment.

MARIA WEISER.

Portland, Jan. 24, 1870. — jan25d4w

CREDITORS' MEETING.—In the matter of [illegible] Unger and [illegible] H. Clemens, bankrupts—In Bankruptcy.—There will be a second general meeting of the creditors of the above named bankrupts held at the office of W. Lair Hill, Esq., Register in Bankruptcy, Portland, Oregon, on the [illegible] day of February, A. D. 1870, at [illegible] o'clock A. M., for the purposes specified in the [illegible] Sec. of the Bankrupt Act of March 2, 1867.

[illegible] HAAS, Trustee of said [illegible]

NOTICE OF ASSIGNEE OF HIS APPOINTMENT.—In Bankruptcy. District of Oregon, SS.—At the city of Portland, the [illegible] day of January, A. D. 1870. The undersigned hereby gives notice of his appointment as assignee of [illegible] Weaker, [illegible], in the county of [illegible], within said district, who has been adjudged a bankrupt on [illegible] petition, by the District Court of said district.

[illegible] — JOHN CATLIN, Assignee.

NOTICE OF ASSIGNEE OF HIS APPOINTMENT.—In Bankruptcy. District of Oregon, SS.—At the city of Portland, [illegible] A. D. 1870. The undersigned hereby gives notice of his appointment as assignee of [illegible] of Portland, in the county of Multnomah, [illegible] within said District, [illegible] on his own petition by the District Court of said district.

[illegible] MASON, Assignee.

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